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SALUS POPULI SUPREMA LEX ESTO

*"The welfare of the people shall be the supreme law."*



JASON KANDER  
SECRETARY OF STATE

MISSOURI  
REGISTER

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**SECRETARY OF STATE**

**JASON KANDER**

Administrative Rules Division

James C. Kirkpatrick State Information Center  
600 W. Main  
Jefferson City, MO 65101  
(573) 751-4015

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•

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•

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ALISHA DUDENHOEFFER

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## IN THIS ISSUE:

### EMERGENCY RULES

#### Department of Insurance, Financial Institutions and Professional Registration

Missouri Dental Board	1343
State Board of Pharmacy	1343

### EXECUTIVE ORDERS 1345

### PROPOSED RULES

#### Department of Revenue

State Lottery	1348
---------------	------

#### Department of Social Services

MO HealthNet Division	1373
-----------------------	------

#### Boards of Police Commissioners

Kansas City Board of Police Commissioners	1376
---	------

#### Department of Insurance, Financial Institutions and Professional Registration

Missouri Dental Board	1385
Missouri Board of Occupational Therapy	1388
State Board of Pharmacy	1391

### ORDERS OF RULEMAKING

#### Department of Conservation

Conservation Commission	1394
-------------------------	------

#### Department of Transportation

Missouri Highways and Transportation Commission	1394
---	------

#### Department of Natural Resources

Air Conservation Commission	1394
-----------------------------	------

#### Department of Public Safety

Missouri Gaming Commission	1395
----------------------------	------

#### Department of Social Services

MO HealthNet Division	1397
-----------------------	------

#### Department of Health and Senior Services

Office of the Director	1397
------------------------	------

### IN ADDITIONS

#### Department of Agriculture

Weights and Measures	1399
----------------------	------

### CONTRACTOR DEBARMENT LIST 1400

### DISSOLUTIONS 1401

### SOURCE GUIDES

#### RULE CHANGES SINCE UPDATE 1403

#### EMERGENCY RULES IN EFFECT 1407

#### EXECUTIVE ORDERS 1408

#### REGISTER INDEX 1409

Register Filing Deadlines	Register Publication Date	Code Publication Date	Code Effective Date
April 1, 2014	May 1, 2014	May 31, 2014	June 30, 2014
April 15, 2014	May 15, 2014	May 31, 2014	June 30, 2014
May 1, 2014	June 2, 2014	June 30, 2014	July 30, 2014
May 15, 2014	June 16, 2014	June 30, 2014	July 30, 2014
June 2, 2014	July 1, 2014	July 31, 2014	August 30, 2014
June 16, 2014	July 15, 2014	July 31, 2014	August 30, 2014
July 1, 2014	August 1, 2014	August 31, 2014	September 30, 2014
July 15, 2014	August 15, 2014	August 31, 2014	September 30, 2014
August 1, 2014	September 2, 2014	September 30, 2014	October 30, 2014
August 15, 2014	September 15, 2014	September 30, 2014	October 30, 2014
September 2, 2014	October 1, 2014	October 31, 2014	November 30, 2014
September 15, 2014	October 15, 2014	October 31, 2014	November 30, 2014
October 1, 2014	November 3, 2014	November 30, 2014	December 30, 2014
October 15, 2014	November 17, 2014	November 30, 2014	December 30, 2014
November 3, 2014	December 1, 2014	December 31, 2014	January 30, 2015
November 17, 2014	December 15, 2014	December 31, 2014	January 30, 2015
December 1, 2014	January 2, 2015	January 29, 2015	February 28, 2015
December 15, 2014	January 15, 2015	January 29, 2015	February 28, 2015

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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## HOW TO CITE RULES AND RSMo

**RULES**—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

**RSMo**—The most recent version of the statute containing the section number and the date.

**R**ules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

**R**ules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

**A**ll emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2110—Missouri Dental Board  
Chapter 2—General Rules**

**EMERGENCY AMENDMENT**

**20 CSR 2110-2.170 Fees.** The board is proposing to amend subsection (1)(C).

**PURPOSE:** *The Missouri Dental Board is statutorily obligated to enforce and administer the provisions of Chapter 332, RSMo. Pursuant to section 332.031, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 332 so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of Chapter 332, RSMo.*

**EMERGENCY STATEMENT:** *The Missouri Dental Board is statutorily obligated to enforce and administer the provisions of sections 332.011 to 332.425, RSMo. Pursuant to section 332.031, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 332.011 to 332.364, RSMo, so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 332.011 to 332.425, RSMo. The board is proposing to decrease the biennial license renewal fee from two hundred twenty dollars (\$220) to one*

*hundred eighty dollars (\$180) for dentist and dental specialist and the biennial license renewal fee from one hundred dollars (\$100) to sixty dollars (\$60) for dental hygienist. This emergency amendment is necessary to allow the division to collect the decreased license fees. The renewal notices will be mailed September 1, 2014. Without this emergency amendment, the decreased fee requirements will not be effective prior to renewal notices being mailed and the board will collect more revenue than it is statutorily authorized to collect.*

*The scope of the emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. In developing this emergency amendment, the division has determined that the fee decrease is necessary to prevent funds from exceeding the maximum fund balance as set forth in section 324.524, RSMo. Pursuant to section 324.001.1(1), Pursuant to Chapter 324.001.1(10), "A compelling governmental interest shall be deemed to exist for the purposes of section 536.025, RSMo, for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the division of professional registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue." The division believes this emergency amendment to be fair to all interested parties under the circumstances. This emergency amendment was filed July 8, 2014, becomes effective July 18, 2014, and expires February 26, 2015.*

- (1) The following fees are established by the Missouri Dental Board:
- |                                  |               |
|----------------------------------|---------------|
| (C) Biennial License Renewal Fee |               |
| 1. Dentist License               | [\$220] \$180 |
| 2. Dental Specialist License     | [\$220] \$180 |
| 3. Dental Hygienist License      | [\$100] \$ 60 |
| 4. Limited Teaching License      | \$250         |

**AUTHORITY:** *section 332.031.3., RSMo 2000. This rule originally filed as 4 CSR 110-2.170. Emergency rule filed June 30, 1981, effective July 9, 1981, expired Nov. 6, 1981. Original rule filed June 30, 1981, effective Oct. 11, 1981. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed July 8, 2014, effective July 18, 2014, expires Feb. 26, 2015. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.*

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2220—State Board of Pharmacy  
Chapter 4—Fees Charged by the Board of Pharmacy**

**EMERGENCY AMENDMENT**

**20 CSR 2220-4.010 General Fees.** The Board of Pharmacy is proposing to amend subsections (1)(D) and (1)(Q).

**PURPOSE:** *The Board of Pharmacy is statutorily obligated to enforce and administer the provisions of Chapter 338, RSMo, governing the practice of pharmacy. Pursuant to section 338.070, RSMo, the board shall set the appropriate amount of fees by rule, so that the revenue produced shall not substantially exceed the cost and expense of administering the provisions of Chapter 338, RSMo. Based on the board's five- (5-) year projections, the board finds it necessary to reduce renewal fees for Missouri pharmacists and pharmacist interns.*

**EMERGENCY STATEMENT:** *The Board of Pharmacy is statutorily obligated to set all fees, by regulation, necessary to administer the provisions of Chapter 338, RSMo. Pursuant to section 338.070, RSMo, the board shall set the appropriate amount of fees by rule, so*

that the revenue produced shall not substantially exceed the cost and expense of administering the provisions of Chapter 338, RSMo. Therefore, the board is proposing to decrease 2014 renewal fees for Missouri pharmacists from \$200 to \$50 and intern pharmacist renewal fees from \$80 to \$20. Pharmacist renewal notices will be mailed on August 1, 2014. Intern pharmacist renewal notices will be mailed October 1, 2014. Without this emergency amendment, the decreased fee requirements will not be effective prior to renewal notices being mailed and the board will collect more revenue than it is statutorily authorized to collect. The scope of the emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. In developing this emergency amendment, the board has determined that the fee decrease is necessary for the 2014 renewal period to prevent funds from exceeding the maximum fund balance, thereby resulting in a transfer from the fund to general revenue as set forth in section 338.070.3, RSMo. Pursuant to section 324.001.10, RSMo, a compelling governmental interest is deemed to exist for the purposes of section 536.025, RSMo, for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the Division of Professional Registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue. The board believes this emergency amendment to be fair to all interested parties under the circumstances. This emergency amendment was filed July 8, 2014, becomes effective July 18, 2014, and expires February 26, 2015.

(1) The following fees are established by the State Board of Pharmacy:

- |                                       |                              |
|---------------------------------------|------------------------------|
| (D) Pharmacist License Renewal Fee    | <del>\$/200/</del> <b>50</b> |
| (Q) Intern Pharmacist License Renewal | <del>\$/80/</del> <b>20</b>  |

**AUTHORITY:** sections 338.020, 338.035, 338.040, 338.060, 338.070, 338.185, **338.230, 338.270**, 338.280, and 338.350, RSMo 2000, and sections 338.140, 338.220, and 338.335, RSMo Supp. [2012] **2013**. This rule originally filed as 4 CSR 220-4.010. Emergency rule filed July 15, 1981, effective Aug. 3, 1981, expired Nov. 11, 1981. Original rule filed Aug. 10, 1981, effective Nov. 12, 1981. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed July 8, 2014, effective July 18, 2014, expires Feb. 26, 2015. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.

**T**he Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2013.

## EXECUTIVE ORDER 14-07

WHEREAS, the State of Missouri is committed to enhancing the economic health and prosperity of socially and economically disadvantaged small business and women/minority business enterprises; and

WHEREAS, section 37.020.2, RSMo, states that “[t]he office of administration, in consultation with each department, shall establish and implement a plan to increase and maintain the participation of certified socially and economically disadvantaged small business concerns or minority business enterprises, directly or indirectly, in contracts for supplies, services, and construction contracts, consistent with goals determined after an appropriate study conducted to determine the availability of socially and economically disadvantaged small business concerns and minority business enterprises in the marketplace”; and

WHEREAS, the Office of Administration has commissioned a Disparity Study which will be completed by August 15, 2014; and

WHEREAS, analysis of the findings of the Disparity Study and the formulation of recommendations that will promote greater participation in state contracting by women/minority business enterprises is an important endeavor that will be aided by a diverse group of individuals who understand the governmental contracting process and the challenges faced by women/minority businesses in that process; and

WHEREAS, the appointment of a committee to thoughtfully review the findings of the Disparity Study and produce meaningful recommendations will assist the State of Missouri in developing a contracting process that is inclusive, promotes diversity and provides greater opportunity for women/minority business enterprises.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, under the authority vested in me under the constitution and the laws of the State of Missouri, do hereby establish the Disparity Study Oversight Review Committee.

The Disparity Study Oversight Review Committee shall consist of the following individuals:

- **Michael Middleton**, Deputy Chancellor, University of Missouri-Columbia
- **William “Bill” Thornton**, General Counsel, Missouri Department of Higher Education
- **John Truesdell**, Vice President, Rose International (Retired)
- **Dr. Valerie Blackmon**, Management Consultant, Blackmon Consulting
- **Charlotte Hardin**, Missouri Legislative Black Caucus Foundation Board
- **Lyle Randolph**, Vice President and General Manager, Isle Casino Cape Girardeau
- **Lisa Althoff**, Executive Director, Missouri Women’s Council
- **Theresa Garza Ruiz**, Political Director, Laborers’ Local #264

- **Nia Richardson**, Director of Business Development and Marketing, DuBois Consultants, Inc.
- **Rhonda Carter Adams**, Executive Director, St. Louis/Eastern Missouri Area Mid-States Minority Supplier Development Council
- **Anna Croslin**, President and Chief Executive Officer, International Institute of St. Louis
- **Redditt Hudson**, Regional Field Organizer, NAACP Region IV
- **State Representative Tommie Pierson**, Missouri House of Representatives District No. 66, Chairman of the Legislative Black Caucus
- **Karlos Ramirez**, Executive Director, Hispanic Chamber of Commerce of Metropolitan St. Louis
- **Leonard Toenjes**, President, Associated General Contractors of St. Louis

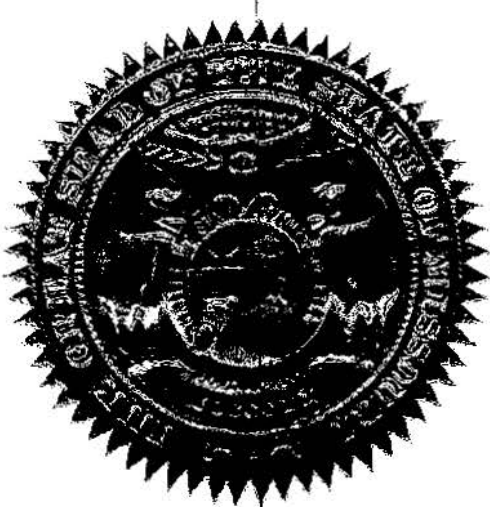
The Disparity Study Oversight Review Committee is assigned for administrative purposes to the Office of Administration and the Commissioner of Administration is authorized to reimburse such expenses of the Committee as deemed appropriate.

The Disparity Study Oversight Review Committee shall engage in a thorough review and analysis of the Disparity Study and shall develop appropriate recommendations designed to increase the participation of women/minority business enterprises, directly or indirectly, in state contracts. The Commissioner of Administration may assign such additional duties as deemed necessary to accomplish the goals of the Committee.

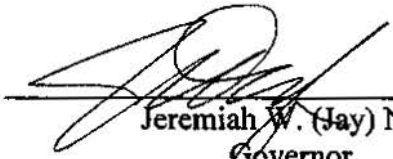
The Disparity Study Oversight Review Committee shall present to the Governor and Commissioner of Administration by December 31, 2014, a report containing an analysis of the Disparity Study and its recommendations to increase participation by socially and economically disadvantaged small business concerns and women/minority business enterprises in state contracting.

This Executive Order shall expire on December 31, 2014, unless extended by subsequent Order.





IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 2<sup>nd</sup> day of July, 2014.

  
Jeremiah W. (Jay) Nixon  
Governor

ATTEST:

  
Jason Kander  
Secretary of State

**U**nder this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

**E**ntirely new rules are printed without any special symbolology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

**A**n important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

**I**f an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

**A**n agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

**I**f an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

**Boldface text indicates new matter.**

*[Bracketed text indicates matter being deleted.]*

## Title 12—DEPARTMENT OF REVENUE Division 40—State Lottery Chapter 10—General Considerations

### PROPOSED AMENDMENT

**12 CSR 40-10.010 Definitions.** The commission proposes to amend section (1) and add sections (4) and (5).

*PURPOSE: This amendment clarifies the definition of the word "person" and adds definitions for "illegal machine" and "director." These terms are used throughout all of the lottery commission rules.*

(1) Person—As used in these rules, person shall mean any **natural person**, individual, **firm**, corporation, partnership, trust, **limited liability company (LLC)**, or unincorporated association.

(4) **Illegal machine**—If a licensed lottery retailer shall possess

machine(s) or promote(s) behavior that violates the provisions of Chapter 572 (Gambling) of the Revised Statutes of Missouri, the Missouri Lottery may suspend or revoke said license. The Missouri Lottery may suspend or revoke the license of a lottery retailer, if said retailer is prosecuted by the state of Missouri for a violation of any provision of Chapter 572, RSMo (Gambling).

(5) **Director**—As used in these rules, director shall mean the director or his/her designee.

*AUTHORITY: section 313.220, RSMo [1986] Supp. 2013. Original rule filed Oct. 7, 1985, effective Oct. 17, 1985. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## Title 12—DEPARTMENT OF REVENUE Division 40—State Lottery Chapter 10—General Considerations

### PROPOSED AMENDMENT

**12 CSR 40-10.040 Commission to Meet Quarterly.** The commission proposes adding a statute to the authority section.

*PURPOSE: The amendment adds section 313.225 RSMo as part of its authority.*

*AUTHORITY: section 313.220, RSMo [1986] Supp. 2013, and section 313.225, RSMo 2000. Original rule filed Jan. 10, 1986, effective Jan. 20, 1986. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 10—General Considerations**

**PROPOSED RULE**

**12 CSR 40-10.070 Alternative Distribution Channels**

*PURPOSE:* The purpose of this rule is to define alternative distribution channels.

(l) The lottery commission reserves the right to sell wagers through alternative distribution channels in order to ensure that the Missouri Lottery has the necessary products to sustain revenue growth and to remain competitive. These channels may be used to distribute lottery games, products, or promotions. Rules will be developed and established per channel and will adhere to existing rules of that particular game, product, or promotion. The lottery will report and settle retailer transactions in the same manner as the traditional retail distribution channel.

*AUTHORITY:* section 313.205, RSMo 2000, and section 313.220, RSMo Supp. 2013. Original rule filed July 15, 2014.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 15—Employees**

**PROPOSED AMENDMENT**

**12 CSR 40-15.010 All Employees to be Fingerprinted.** The commission proposes to amend this rule.

*PURPOSE:* This amendment allows for other entities to fingerprint employees for the purposes described.

All employees shall be fingerprinted [by the Missouri State Highway Patrol] for the purpose of a background check.

*AUTHORITY:* section 313.220, RSMo [1986] Supp. 2013. Original rule filed Oct. 7, 1985, effective Oct. 17, 1985. Amended: Filed July 16, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip

Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 20—Fiscal**

**PROPOSED AMENDMENT**

**12 CSR 40-20.010 Licensees to Authorize Electronic Funds Transfer.** The commission proposes to amend section (1) and subsection (1)(A).

*PURPOSE:* This amendment requires the licensees to follow the rule without being requested to do so by the director.

(1) Licensees[, at the request of the director,] shall authorize the debiting of an account in their names for the purpose of electronic funds transfer to a collection account.

(A) The licensee[, when the director requests,] shall execute all forms required by his/her bank and any forms required by the transferring bank.

*AUTHORITY:* section 313.220, RSMo [1986] Supp. 2013. Original rule filed Jan. 10, 1986, effective Jan. 20, 1986. Amended: Filed May 5, 1986, effective May 15, 1986. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 20—Fiscal**

**PROPOSED AMENDMENT**

**12 CSR 40-20.020 Electronic Funds Transfer System (EFT).** The commission proposes to amend the purpose, section (1) and subsection (1)(A), and delete subsection (1)(B).

*PURPOSE:* This amendment moves from the implementation of the EFT system to the execution of all retailers using EFT.

*PURPOSE:* The purpose of this rule is to [implement] require an Electronic Funds Transfer System which was established through agreement with the state lottery commission and the state treasurer.

(1) The Electronic Funds Transfer System (EFT)[, established pursuant to section 313.305,] shall be [implemented] executed by

the director in the following manner:

(A) The director may group retailers having similar characteristics for the purpose of *[implementing]* the EFT. The director shall notify licensees so grouped that s/he is requesting the authorization of forms required by 12 CSR 40-20.010.

1. For current licensees, within twenty (20) days of this request by the director, all licensees notified under this rule shall execute and return all documents required by 12 CSR 40-20.010.

2. For persons applying for a retail license *[after implementation]*, the documents required by 12 CSR 40-20.010 shall be executed prior to the issuance of a license; *and*].

*[(B) The director is authorized to phase in the EFT system through the groupings authorized by subsection (1)(A) of this rule so as to ensure the smooth transition to the EFT system.]*

**AUTHORITY:** section 313.220, RSMo [1986] **Supp. 2013**. Original rule filed May 5, 1986, effective May 15, 1986. Amended: Filed Dec. 5, 1988, effective April 27, 1989. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

## Title 12—DEPARTMENT OF REVENUE

### Division 40—State Lottery

#### Chapter 20—Fiscal

#### PROPOSED AMENDMENT

**12 CSR 40-20.030 Nonsufficient Funds [Checks/EFT Debits].** The commission proposes to amend the rule name, the purpose, and the rule itself.

**PURPOSE:** This amendment removes the references of payment by checks.

**PURPOSE:** The purpose of this rule is to establish policy for the treatment of nonsufficient funds *[checks]* submitted by the licensees. *[The policy will also cover EFT debits where insufficient funds to cover the debit exist].*

*[(1) Ticket Receipts.]*

*[(A)](1)* Any licensee *[whose check for the payment of tickets is returned from his/her bank as nonsufficient funds (NSF) or]* whose account does not contain sufficient funds for debiting by electronics funds transfer (EFT) *[for the payment of tickets]* **for any and all payments** shall be subject to changes in credit limits or establishment of special payment arrangements as may be required by the Missouri Lottery.

*[(B) This policy shall apply to licensees using the manual check system of remitting receipts and also licensees using the EFT system.]*

*[(C)](2)* After the Missouri Lottery notifies a licensee of *[an NSF*

*check]* **a non-transfer of funds (NTF)**, *[all ticket purchases must be made with certified check, cashier's check or money order prior to the delivery of additional tickets.]*

*[(D) The]* the retailer shall pay the amount of the *[NSF check]* **NTF by re-sweep**, certified check, cashier's check, or money order immediately upon notification of an *[NSF check]* **NTF** as directed by the Missouri Lottery.

*[(2) Other Products or Services.*

*(A) In the event an NSF check is received for the payment of any licensing fee, bond, service mark fee or any other product or service provided by the Missouri Lottery, service will not be provided until the NSF check has been paid.*

*(B) The payment of the NSF check under this subsection of the rule shall be by certified check, cashier's check or money order.]*

*[(C)](3)* The lottery may charge an additional fee *[of up to fifty dollars (\$50)]* for each *[NSF check]* **NTF** returned.

*[(3)](4)* Any licensee who fails to comply with the conditions established by the Missouri Lottery shall be subject to suspension or revocation under section *[313.255.6(3)]* **313.255.7(3)**.

*[(4)](5)* If the director is satisfied that a *[check or]* debit was returned *[NSF]* **NTF** as a result of the Missouri Lottery or of mistakes by any banking institution, s/he may waive the requirements of this rule.

**AUTHORITY:** section 313.220, RSMo **Supp. [1999] 2013**. Original rule filed May 5, 1986, effective May 15, 1986. Amended: Filed Aug. 23, 2000, effective March 30, 2001. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

## Title 12—DEPARTMENT OF REVENUE

### Division 40—State Lottery

#### Chapter 20—Fiscal

#### PROPOSED AMENDMENT

**12 CSR 40-20.040 Return of Tickets for [the Instant] Scratchers Game.** The commission proposes to amend the title, purpose, and sections (1), (2), and (3).

**PURPOSE:** This amendment changes the wording to describe the tickets from "instant" to "Scratchers" and updates the returned Scratchers process.

**PURPOSE:** The purpose of this rule is to establish a period of time for the return of *[instant]* game tickets at the end of *[an instant]* **a Scratchers** game.

(1) *[Instant]* **Scratchers** game tickets may be returned to the Missouri Lottery at any time prior to the end of an *[instant]* **Scratchers** game and up to ninety (90) days following the last day on which prizes may be claimed for that game for full credit.

(2) Any *[instant]* **Scratchers** game tickets returned within the time period set forth in section (1) of this rule will receive a full credit in the amount of money invoiced~~[.]~~ **based on verification of the tickets returned.**

(3) Returned *[instant]* **Scratchers** game tickets will not be given credit if returned after the time period set forth in section (1), unless the director is satisfied that a return after the period set forth in section (1) of this rule is the result of the Missouri Lottery or other conditions beyond the control of the licensee, s/he may waive the time period restriction set forth in section (1). **Returned Scratchers will not be credited if they cannot be verified.**

**AUTHORITY:** section 313.220, RSMo Supp. [1998] 2013. Original rule filed May 5, 1986, effective May 15, 1986. Amended: Filed June 3, 1999, effective Dec. 30, 1999. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 30—Lottery Vendors**

**PROPOSED AMENDMENT**

**12 CSR 40-30.180 Adoption of State Purchasing Rules.** The commission proposes to amend section (1).

**PURPOSE:** This amendment addresses the CSRs used for purchasing.

(1) The Missouri Lottery shall adopt the purchasing rules established for the Office of Administration (OA) in 1 CSR 40 with the exception of 1 CSR 40-1.010, 1 CSR 40-1.040, ~~[1 CSR 40-1.070 and 1 CSR 40-1.080]~~ **1 CSR 10-17.040, 1 CSR 10-17.050, and 1 CSR 40-1.090.**

**AUTHORITY:** section 313.270, RSMo [1994] Supp. 2013. Original rule filed June 25, 1998, effective Jan. 30, 1999. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-40.010 Application.** The commission proposes to amend the purpose and sections (2) and (3).

**PURPOSE:** This amendment removes the fixed fee amount of seventy-five dollars (\$75), and the reference to the Missouri State Highway Patrol to perform the background check.

**PURPOSE:** This rule requires persons desiring to be a licensed agent for the sale of lottery tickets to apply for a license as agent on a form provided by the director and **may require[s] a fee [of \$75].**

(2) The application form shall provide sufficient information for the director to determine the eligibility for licenses as set forth in the statute and these rules and ~~[for the Missouri State Highway Patrol]~~ to perform sufficient background checks to insure that licensees conform to the provisions of these rules. Licensees shall submit fingerprints to the director on his/her request.

(3) The application may be accompanied by a processing fee ~~[not to exceed seventy-five dollars (\$75)]~~ as may be established by the commission.

**AUTHORITY:** section 313.220, RSMo Supp. [1997] 2013. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed Dec. 5, 1988, effective Jan. 27, 1989. Amended: Filed Sept. 15, 1997, effective March 30, 1998. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-40.012 Residency.** The commission proposes to amend subsection (1)(B).

*PURPOSE:* The amendment expands the definition of a licensee.

(1) Each person applying for a license shall either—

(B) If a corporation, **limited liability company (LLC) or partnership**, be licensed to do business in this state; or

*AUTHORITY:* section 313.220, RSMo Supp. [1988] 2013. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

## **Title 12—DEPARTMENT OF REVENUE**

### **Division 40—State Lottery**

#### **Chapter 40—Retail Sales Licenses**

#### **PROPOSED AMENDMENT**

**12 CSR 40-40.015 Issuance and Length of Licenses.** The commission proposes to amend the purpose of the rule.

*PURPOSE:* This amendment changes the length of time for a license.

*PURPOSE:* This rule provides for licenses of [three] **one- (1-) year[s]** in length and allows the director to stagger the expiration by issuing longer or shorter licenses.

*AUTHORITY:* section[s] 313.220, RSMo Supp. [1988] 2013, and section 313.230(1)(i)(2), RSMo [Supp. 1990] 2000. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed Aug. 28, 1987, effective Nov. 23, 1987. Amended: Filed Jan. 4, 1994, effective July 10, 1994. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

## **Title 12—DEPARTMENT OF REVENUE**

### **Division 40—State Lottery**

#### **Chapter 40—Retail Sales Licenses**

#### **PROPOSED AMENDMENT**

**12 CSR 40-40.020 Factors to be Considered.** The commission proposes to amend the authority of the rule.

*PURPOSE:* This amendment adds section 313.255, RSMo as part of its authority.

*AUTHORITY:* section 313.220, RSMo Supp. [1988] 2013, and section 313.255, RSMo 2000. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

## **Title 12—DEPARTMENT OF REVENUE**

### **Division 40—State Lottery**

#### **Chapter 40—Retail Sales Licenses**

#### **PROPOSED AMENDMENT**

**12 CSR 40-40.030 Minority and Political Factors.** The commission proposes to amend the authority of the rule.

*PURPOSE:* This amendment adds section 313.255, RSMo as part of its authority.

*AUTHORITY:* section 313.220, RSMo Supp. [1988] 2013, and section 313.255, RSMo 2000. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-40.040 License Locations.** The commission proposes to amend section (3).

*PURPOSE:* This amendment allows the Missouri Lottery to define and approve the location for which an application is submitted.

(3) Each location for which an application is submitted must be a [fixed] location **as defined and approved by the Missouri Lottery.**

*AUTHORITY:* section 313.220, RSMo Supp. [1988] 2013. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-40.050 Bond/License Fee Requirements.** The commission proposes to amend the rule title, the purpose, the rule, and the authority of the rule.

*PURPOSE:* This amendment removes the fixed amount required for the bond and adds a license fee. It also adds section 313.255, RSMo as part of its authority.

*PURPOSE:* This rule requires a [\$5000] bond **and license fee** for each licensee.

Each licensee shall post a bond **and license fee** in an amount to be determined by the director depending upon the actual or projected licensee's sales and payment history, credit record, or both, for each license obtained.

*AUTHORITY:* section[s] 313.220, RSMo Supp. [1988] 2013, and sections 313.230(1)(i)(2) and 313.255, RSMo [Supp. 1990] 2000. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed Aug. 28, 1987, effective Nov. 23, 1987. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-40.060 Display of License.** The commission proposes to amend the purpose, the rule, and the authority of the rule.

*PURPOSE:* This amendment changes how and where licenses are required to be displayed, and adds section 313.255, RSMo as part of its authority.

*PURPOSE:* This rule requires the licensee to display the license. [at the point of sale and requires it to be secure from theft and defacing.]

Each licensee shall prominently display his/her license or a copy. [at the location designated in the license for the sale of lottery tickets. The license shall be visible and shall be displayed in a manner as to prevent the theft or defacing of the license.]

*AUTHORITY:* section 313.220, RSMo Supp. [1988] 2013, and section 313.255, RSMo 2000. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-40.070 Assignment or Transfer of License Prohibited.** The commission proposes to amend the authority of the rule.

**PURPOSE:** This amendment adds section 313.255, RSMo as part of its authority.

**AUTHORITY:** section 313.220, RSMo Supp. [1988] 2013, and section 313.255, RSMo 2000. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

## **Title 12—DEPARTMENT OF REVENUE**

### **Division 40—State Lottery**

#### **Chapter 40—Retail Sales Licenses**

#### **PROPOSED AMENDMENT**

**12 CSR 40-40.071 Change of Business Location.** The commission proposes to amend section (2) and the authority of the rule.

**PURPOSE:** This amendment incorporates subsection (2)(A) into the body of section (2) and deletes subsection (2)(B). It also adds section 313.255, RSMo as part of its authority.

(2) In the event that all the criteria in section (1) of this rule are met, the director shall authorize the issuance of a license bearing the location of the new premises.

[(A)] The new license may bear the same identification number as the previous license premises.

[(B) No new bond shall be required by reason of a change of location under this rule.]

**AUTHORITY:** section 313.220, RSMo Supp. [1988] 2013, and section 313.255, RSMo 2000. Original rule filed May 5, 1986, effective May 15, 1986. Amended: Filed Jan. 4, 1994, effective July 10, 1994. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

## **Title 12—DEPARTMENT OF REVENUE**

### **Division 40—State Lottery**

#### **Chapter 40—Retail Sales Licenses**

#### **PROPOSED AMENDMENT**

**12 CSR 40-40.080 Ticket Sales as Primary Business Prohibited.** The commission proposes to amend the authority of the rule.

**PURPOSE:** This amendment adds section 313.260, RSMo as part of its authority.

**AUTHORITY:** section 313.220, RSMo Supp. [1988] 2013, and section 313.260, RSMo 2000. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

## **Title 12—DEPARTMENT OF REVENUE**

### **Division 40—State Lottery**

#### **Chapter 40—Retail Sales Licenses**

#### **PROPOSED AMENDMENT**

**12 CSR 40-40.090 Eligibility for Licenses.** The commission proposes to amend section (3) and the authority of the rule.

**PURPOSE:** This amendment adds a type of business when referring to the word “person” for the purposes of licensing, and adds section 313.260, RSMo as part of its authority.

(3) For purposes of licensing “person” refers to the principal owner of a sole proprietorship, principal partner(s) of a partnership, manager of the lottery account within a corporation, **or limited liability company**, and top two (2) officers of a nonprofit organization.

**AUTHORITY:** section 313.220(2), RSMo Supp. [1999] 2013, and section 313.260, RSMo 2000. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed March 17, 1987, effective June 11, 1987. Amended: Filed Jan. 12, 2000, effective Aug. 30, 2000. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603,



Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-40.110 Revocation of Licenses.** The commission proposes to amend section (1) and subsection (1)(C), add a new section (2), renumber as needed, and amend the authority of the rule.

*PURPOSE:* This amendment addresses when the director may revoke a license and how the licensee can present evidence. It also adds section 313.255, RSMo as part of its authority.

(1) The director shall revoke *[after hearing,]* the license of any person who has—

(C) Endangered the security and integrity of the lottery; and

(2) The licensee shall have the right to present evidence pursuant to 12 CSR 40-70.010.

[(2)](3) The director shall revoke all licenses held by any licensee violating subsections (1) (A)–(D) of this rule.

*AUTHORITY:* section 313.220, RSMo Supp. [1988] 2013, and section 313.255, RSMo 2000. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed Jan. 4, 1994, effective July 10, 1994. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-40.120 Suspension and Revocation of Licenses.** The commission proposes to amend section (1), subsections (1)(C), (1)(F), and (1)(G), add subsections (1)(H)–(M), and amend the authority of the rule.

*PURPOSE:* This amendment clarifies when and for what reasons the director may suspend or revoke a retail license. It also adds section 313.255, RSMo as part of its authority.

(1) *[The director, after a hearing, may suspend or revoke any license for any of the following reasons:]*At the director's sole discretion, the director may immediately suspend or revoke a retailer license if the director determines that continuing to contract with the retailer is not in the best interest of the lottery, including, but not limited to, the following reasons:

(C) *[A delinquency in remitting money owed to the lottery or to prize winners;]* An electronic funds transfer (EFT) payment is rejected for non-transfer of funds (NTF) or the retailer fails to provide timely information to the lottery regarding any change on the retailers EFT bank account;

(F) The person is ineligible for obtaining a license under 12 CSR 40-40.090 and the facts giving rise to ineligibility occurred or were discovered subsequent to the issuance of the license; *and/*

(G) The refusal to acquire any equipment or material required by the director~~/.~~;

(H) The manager or owner purposefully paid the player an amount less than the actual prize amount of the ticket, or the manager or owner retained the player's winning ticket without paying the prize due the player;

(I) The failure or refusal to properly use and/or display any equipment or material required by the director;

(J) The retailer provided false or misleading information to the lottery;

(K) The retailer or any key person is arrested or convicted of a felony while a licensed retailer;

(L) Any other reason contained in the contract or administrative rules that provides a basis for revocation of a retailer contract; and

(M) When the director concludes that continuing to contract with the retailer may pose a threat to the fairness, honesty, integrity, or security of the lottery and its games.

*AUTHORITY:* section 313.220, RSMo Supp. [1988] 2013, and section 313.255, RSMo 2000. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed March 17, 1987, effective March 27, 1987. Amended: Filed Jan. 4, 1994, effective July 10, 1994. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-40.150 Change of Information.** The commission proposes to amend subsections (1)(A), (1)(B), and section (3).

*PURPOSE:* This amendment clarifies when it is required for the licensee to notify the director of any changes and removes the maximum fee amount that may be requested.

(1) The licensee must notify the director of any of the following changes in his/her business:

(A) Any change of business structure[*, that is sole proprietorship to partnership or corporation*];

(B) Changes of ownership for corporations[*, only*] (sale of ten percent (10%) or more of the equity) [*of the business*];

(3) The director may require a payment [*of up to twenty-five dollars (\$25) per person*] for any required investigation under this rule.

**AUTHORITY:** section 313.220, RSMo Supp. [1988] 2013. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## **Title 12—DEPARTMENT OF REVENUE**

### **Division 40—State Lottery**

### **Chapter 40—Retail Sales Licenses**

#### **PROPOSED AMENDMENT**

**12 CSR 40-40.160 Prohibitions on Sale of Tickets.** The commission proposes to amend the authority of the rule.

**PURPOSE:** The amendment adds section 313.280, RSMo as part of its authority.

**AUTHORITY:** section 313.220, RSMo Supp. [1988] 2013, and section 313.280, RSMo 2000. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed Jan. 4, 1994, effective July 10, 1994. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## **Title 12—DEPARTMENT OF REVENUE**

### **Division 40—State Lottery**

### **Chapter 40—Retail Sales Licenses**

#### **PROPOSED AMENDMENT**

**12 CSR 40-40.170 Sale During Normal Business Hours.** The commission proposes to amend the purpose and sections (1) and (2).

**PURPOSE:** This amendment clarifies business hours and updates the terminology of “on-line games” to “draw games.”

**PURPOSE:** This rule requires licensees to sell [valid] tickets during normal business hours.

(1) Licensees shall sell [valid] tickets during [the normal] their business hours for the location licensed. [Nothing in this rule shall prevent a licensee from having different business hours for each separate location licensed.]

(2) Retailers must give prompt service to lottery customers present and waiting at the terminal to purchase tickets for [on-line] draw games. Prompt service includes interrupting processing of [on-line] draw game ticket orders or sales for which the customer is not present at the terminal.

**AUTHORITY:** section 313.220, RSMo Supp. [2004] 2013. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed Sept. 17, 1992, effective June 7, 1993. Amended: Filed Aug. 24, 2004, effective March 30, 2005. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## **Title 12—DEPARTMENT OF REVENUE**

### **Division 40—State Lottery**

### **Chapter 40—Retail Sales Licenses**

#### **PROPOSED AMENDMENT**

**12 CSR 40-40.180 Notification of Lost, Damaged or Stolen Tickets or Equipment.** The commission proposes to amend the rule.

**PURPOSE:** The amendment requires licensees to report issues to either the Missouri State Highway Patrol or local law enforcement, not both.

Licensees shall immediately report the theft, loss, or damage of any lottery tickets or equipment to the director of the state lottery, the Missouri State Highway Patrol, [and] or local law enforcement authorities. The licensee shall cooperate in any investigation conducted by the commission, its employees, the Missouri State Highway Patrol, the Missouri attorney general, or local law enforcement authorities.

*AUTHORITY: section 313.220, RSMo Supp. [1988] 2013. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses**

**PROPOSED RESCISSION**

**12 CSR 40-40.190 Marking of Tickets.** This rule required licensees to mark the location of sale on each ticket indelibly and of a quality approved by the director. The rule provided the director authority to require purchase of certain equipment if the printing is not approved.

*PURPOSE: The commission proposes the rescission of this rule as it is no longer applicable.*

*AUTHORITY: section 313.220, RSMo Supp. 1988. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed Jan. 4, 1994, effective July 10, 1994. Rescinded: Filed July 15, 2014.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-40.210 Loss of License.** The commission proposes to amend the purpose and delete subsections (1)(A)–(C).

*PURPOSE: The amendment clarifies what is and is not necessary to receive a duplicate license.*

*PURPOSE: This rule provides [a procedure] for obtaining a duplicate license [when a license is lost, mutilated or destroyed].*

*[(1)] Upon the loss, mutilation, or destruction of any license issued by the director, the person holding the license may apply to the director for a duplicate.*

*[(A) The application for duplicate license shall state the details of the circumstances under which the license was lost, mutilated or destroyed.*

*(B) The existing pieces of any mutilated or partially destroyed license shall be surrendered to the director at the time application for duplicate license is made.*

*(C) If a licensee finds any lost license after a duplicate has been issued, s/he shall immediately surrender the license to the director. If the license is found prior to the issuance of a duplicate, s/he shall immediately inform the director who shall cancel his/her application for duplicate license.]*

*AUTHORITY: section 313.220, RSMo Supp. [1988] 2013. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed Jan. 4, 1994, effective July 10, 1994. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-40.220 Incapacity of Licensee.** The commission proposes to amend the purpose and section (1), and to remove section (5).

*PURPOSE: This amendment removes the application fee for reinstatement of license.*

*PURPOSE: This rule provides for suspension of licenses for any licensee who becomes incapacitated in some way. The rule provides for reinstatement on application[,] and the criteria for reinstatement [and a fee of \$25].*

*(1) In the event any licensee is proven to be incapacitated, dies, is adjudicated bankrupt, makes any assignment for the benefit of creditors, or is placed in any receivership or trusteeship, the director [shall] may suspend the license for all locations licensed to the person.*

*[(5) An application fee of twenty-five dollars (\$25) shall accompany any application for reinstatement under this rule.]*

*AUTHORITY: section 313.220, RSMo Supp. [1988] 2013. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed July 15, 2014.*

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses  
PROPOSED AMENDMENT**

**12 CSR 40-40.240 Retail Sales Tax License Required.** The commission proposes to amend the purpose and subsections (1)(A) and (1)(B).

**PURPOSE:** This amendment removes the reference to being organized for a political purpose, and allows the director to exempt a retailer from having a retail sales tax license.

**PURPOSE:** This rule requires retail licensees to have either a retail sales tax license, be organized for civic, fraternal, charitable, [political] or labor purposes or be exempted by the director.

- (1) All persons licensed to sell lottery tickets at retail shall either—
- (A) Have a retail sales tax license issued by the Missouri Department of Revenue, **unless exempted by the director**;
- (B) Be organized for civic, fraternal, charitable, [political] or labor purposes; or

**AUTHORITY:** section 313.220, RSMo Supp. [1988] 2013. Original rule filed Nov. 12, 1985, effective Nov. 22, 1985. Amended: July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses  
PROPOSED AMENDMENT**

**12 CSR 40-40.250 Special Event Licenses.** The commission pro-

poses to amend subsection (1)(B), delete subsection (1)(D), and amend subsections (2)(A) and (2)(C).

**PURPOSE:** This amendment updates the terminology for Missouri Lottery tickets and does away with the bond requirement in this rule.

- (1) The executive director may authorize a limited retail sales license for special events if all of the following are met:

- (B) The applicant provides the following in the application:
1. The name of the special event;
  2. The dates and times of the special event;
  3. The dates and times for which the license is requested;
  4. The location at the special event where Missouri Lottery tickets [or shares] will be sold;
  5. A description of the facility for selling Missouri Lottery tickets [or shares]; and
  6. The principal owner of a sole proprietorship, or the principal partner of a partnership, or the manager of the lottery account within a corporation, or the top two (2) officers of a non-profit organization;
- [(D) The applicant shall post bond as required by the commission.]

- (2) In the event a special event license is granted—

(A) Tickets [or shares] may only be sold at the location, during the times of day and for the dates designated on the license;

(C) The special event licensee shall keep the special event license in a secure place and shall make the license available at the special event location for inspection on the demand of any law enforcement agency[,] or lottery employee [or liquor control agent]; and

**AUTHORITY:** section 313.220, RSMo Supp. [1999] 2013. Original rule filed May 5, 1986, effective May 15, 1986. Amended: Filed Sept. 15, 1997, effective March 30, 1998. Amended: Filed Aug. 23, 2000, effective March 30, 2001. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-40.260 Retailer [Incentive] Compensation.** The commission proposes to amend the rule title, the purpose, add a new section (1), renumber accordingly, and amend the sections newly numbered (2), (3), and (4).

**PURPOSE:** This amendment allows the director to authorize a retailer compensation program and sets the criteria for such.

*PURPOSE:* This rule authorizes the director to make *commission or incentive payments to retailers [who meet or exceed sales quotas]*.

**(1) The director may authorize a retailer compensation program.**

[(1)](2) The director, at any time, may authorize a retailer incentive program[, *not to exceed one percent (1%) of gross sales*]. The incentive may be paid to retailers in either cash or its equivalent or merchandise.

[(2)](3) To be eligible to **receive compensation or** participate in the incentive program for the sale of *[instant game] lottery* tickets, a retailer must meet the following criteria:

(A) Be a licensed lottery retailer;

(B) Have sold *[instant] lottery* game tickets for the duration of the game immediately preceding the game for which the incentive is offered;

(C) Be current on payment for tickets at time incentive payment is made; **and**

[(D)] Prominently display a store sign stating “Instant Prizes up to \$100 Paid Here” and have paid instant game prizes ranging from twenty-five dollars and one cent (\$25.01) to one hundred dollars (\$100) during the game immediately preceding the game for which the incentive is offered; and]

[(E)](D) Must be in compliance with all aspects of the rules of the commission, **and rules of the incentive program for which compensation is offered.**

[(3)](4) [To be eligible to participate in the incentive program for the sale of on-line products, a retailer must meet the following criteria—] **In setting incentives for each participating retailer, the formulas used to determine individual incentives in any lottery games shall be consistent for all retailers who participate.**

[(A)] Be an on-line contractor;

(B) Be current on payment for tickets; and

(C) Must be in compliance with the on-line contract and with all aspects of the rules of the commission.

(4) In setting incentives for each participating retailer, the following shall apply:

(A) The formulas used to determine individual incentives in the instant games and in the on-line games shall be the same for all instant game or on-line participating retailers as the case may be.]

*AUTHORITY:* section[s] 313.220, RSMo Supp. [1988] **2013**, and section 313.230(1)(i)(2), RSMo [Supp. 1990] **2000**. Original rule filed July 15, 1986, effective July 25, 1986. Amended: Filed Oct. 20, 1986, effective Oct. 30, 1986. Amended: Filed April 27, 1987, effective July 11, 1987. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 40—Retail Sales Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-40.270 Ticket Transactions in Excess of \$5,000.** The commission proposes to amend section (1).

*PURPOSE:* This amendment includes all lottery games in this rule, not only draw games.

(1) Missouri lottery retailers shall immediately report to the Missouri [//]Lottery’s director of security transactions in excess of five thousand dollars (\$5,000) for the purchase of lottery tickets *[for any on-line game]*.

*AUTHORITY:* section 313.220, RSMo Supp. [2004] **2013**. Original rule filed Sept. 17, 1992, effective June 7, 1993. Amended: Filed Aug. 24, 2004, effective March 30, 2005. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 50—Tickets and Prizes**

**PROPOSED AMENDMENT**

**12 CSR 40-50.010 Tickets and Prizes.** The commission proposes to amend the purpose and the rule.

*PURPOSE:* This amendment incorporates the updated terminology for tickets and removes the specifics of how the funds are appropriated.

*PURPOSE:* This rule provides that licensees own *[instant game] Scratchers* tickets after they are *[purchased and]* delivered to the licensee and the licensee shall bear the burden of any loss. The executive director may establish policies after consideration of circumstances to relieve the licensee of some or all of the burden of loss.

The licensee shall be responsible for all tickets upon delivery to the retailer and shall bear the burden of any loss, including theft, damage, or loss. The executive director of the lottery may establish policies which, after consideration of the circumstances of the licensee’s loss, relieve the licensee of some or all of the burden of loss. The policies established by the executive director shall be made with the overall functionality of the lottery and the purpose of maximizing the funds available for appropriation *[to the public institutions of elementary, secondary and higher education]* as set forth in the Missouri Constitution, Article III, Section 39(b).

**AUTHORITY:** section 313.220, RSMo [2000] *Supp.* 2013. Original rule filed Sept. 4, 1985, effective Sept. 14, 1985. Amended: Filed Aug. 28, 2002, effective March 30, 2003. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE**  
**Division 40—State Lottery**  
**Chapter 50—Tickets and Prizes**  
**PROPOSED AMENDMENT**

**12 CSR 40-50.030 Redemption of Winning Tickets.** The commission proposes to amend the purpose, sections (1) and (2), and add sections (3), (4), and (5).

**PURPOSE:** This amendment updates the terminology for tickets, updates the prize amount licensees may pay, and further clarifies the redemption procedure.

**PURPOSE:** This rule addresses redemption amounts for [instant game] *Scratchers* tickets.

(1) Licensees shall redeem winning [instant game] *Scratchers* tickets of twenty-five dollars (\$25) or less.

(2) Licensees, at their option, may redeem winning [instant] *Scratchers* tickets of between twenty-five dollars and one cent (\$25.01) and [five hundred ninety-nine dollars and one cent (\$599.01)] six hundred dollars (\$600).

(3) Any *Scratchers* retailer may pay a prize for a winning *Scratchers* ticket regardless of where the ticket was purchased.

(4) Lottery *Scratchers* retailers shall follow the procedures for validation of the tickets issued by the lottery before paying any *Scratchers* prizes.

(5) Winning tickets over six hundred dollars (\$600) shall be processed at a lottery office, the location(s) of which shall be published periodically by the lottery.

**AUTHORITY:** section[s] 313.220, RSMo *Supp.* [1997] 2013, and section 313.255, RSMo [1994] 2000. Original rule filed Jan. 10, 1986, effective Jan. 20, 1986. Amended: Filed May 3, 1988, effective July 28, 1988. Amended: Filed Sept. 15, 1997, effective March 30, 1998. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE**  
**Division 40—State Lottery**  
**Chapter 50—Tickets and Prizes**  
**PROPOSED AMENDMENT**

**12 CSR 40-50.050 Claim Period.** The commission proposes to amend sections (1) and (2), and delete section (3).

**PURPOSE:** This amendment updates the terminology for tickets, references lottery policy, and deletes the reference to pull-tab tickets.

(1) All winning tickets for any [instant] *Scratchers* game must be claimed, as defined in lottery policy, within one hundred eighty (180) days of the announced end of the game. The announced end of the game may be obtained from any Missouri Lottery office or [www.molottery.com](http://www.molottery.com).

(2) All winning tickets for any [on-line] draw games must be claimed, as defined in lottery policy, within one hundred eighty (180) days of the last winning draw date on that ticket.

[ (3) Players must redeem a winning pull-tab ticket the same day as it was purchased and must redeem all winning pull-tab tickets at the retailer at which the ticket was purchased. If the winning ticket is a ticket which must be redeemed at a Missouri Lottery office, then the claim period is one hundred eighty (180) days from the announced end of the game. The announced end of the game may be obtained from any Missouri Lottery office or [www.molottery.com](http://www.molottery.com). ]

**AUTHORITY:** section 313.220, RSMo *Supp.* [2006] 2013. Original rule filed Oct. 6, 2006, effective April 30, 2007. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE**  
**Division 40—State Lottery**  
**Chapter 60—Payment of Prizes**  
**PROPOSED AMENDMENT**

**12 CSR 40-60.020 Cash Prizes.** The commission proposes to amend subsection (2)(B).

**PURPOSE:** This amendment updates the dollar amount of prizes the retailer is allowed to pay.

(2) Lump sum payments may be paid out as follows:

(B) *[Cash p]* Payments by retailers up to a maximum of *[five hundred ninety-nine dollars (\$599)]* six hundred dollars (\$600) per prize.

**AUTHORITY:** section[s] 313.220, RSMo Supp. [1999] 2013, and section 313.230(2), RSMo [1994] 2000. Original rule filed Jan. 10, 1986, effective Jan. 20, 1986. Amended: Filed Jan. 23, 1986, effective Feb. 1, 1986. Amended: Filed April 27, 1987, effective July 11, 1987. Amended: Filed Jan. 12, 2000, effective Aug. 30, 2000. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 60—Payment of Prizes**

**PROPOSED AMENDMENT**

**12 CSR 40-60.030 Manner of Claiming Prizes from the Missouri Lottery.** The commission proposes to amend section (3).

**PURPOSE:** This amendment outlines how the rules for claiming prizes will be made available.

(3) The director shall *[place detailed rules for claiming prizes in brochures to be made generally available to the public]* make generally available to the public detailed rules for claiming prizes and so much as may be practicable on the reverse side of *[instant game]* Scratchers and draw games tickets.

**AUTHORITY:** section 313.220, RSMo Supp. [1999] 2013. Original rule filed Jan. 10, 1986, effective Jan. 20, 1986. Amended: Filed Aug. 23, 2000, effective March 30, 2001. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept

comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 60—Payment of Prizes**

**PROPOSED AMENDMENT**

**12 CSR 40-60.040 Requirements for Annuity Sellers.** The commission proposes to amend subsection (1)(F).

**PURPOSE:** This amendment reflects updated terminology.

(1) To be eligible to contract with the director to provide periodic payments of a prize to a lottery winner through an annuity, the annuity company must meet the following requirements:

(F) The company must possess a current certificate of authority from the director of the *[Division of Insurance]* Department of Insurance, Financial Institutions and Professional Registration to transact the business of insurance which authorizes the company to issue annuities.

**AUTHORITY:** section 313.230(2), RSMo [1986] 2000. Original rule filed Jan. 23, 1986, effective Feb. 1, 1986. Amended: Filed March 17, 1987, effective June 11, 1987. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 60—Payment of Prizes**

**PROPOSED AMENDMENT**

**12 CSR 40-60.050 Requirements for Companies Providing Insurance for Annuity Contracts.** The commission proposes to amend subsection (1)(E).

**PURPOSE:** This amendment reflects updated terminology.

(1) To be eligible to contract with the executive director to provide insurance on periodic payments of prizes made to the Missouri Lottery prize winner, the company must meet the following requirements:

(E) The company must possess a current certificate of authority from the director of the *[Division of Insurance]* Department of Insurance, Financial Institutions and Professional Registration to transact the business of insurance which authorizes the company to become surety on bonds or obligations of persons or corporations.

**AUTHORITY:** section 313.230(1)(l), RSMo [1994] 2000. Original rule filed March 17, 1987, effective June 11, 1987. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 70—Suspension, Revocation and  
Denial of Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-70.010 Right to Present Evidence.** The commission proposes to amend the purpose and section (2).

**PURPOSE:** This amendment updates the terminology in the rule.

**PURPOSE:** This rule provides for submission of evidence by licensees whenever the director suspends, revokes, or [devises] denies a retail license or terminates a contract with any lottery vendor.

(2) Any proceeding under this chapter shall be a noncontested case and reviewable under section 536.150, RSMo [(1986)] (2000).

**AUTHORITY:** section 313.220, RSMo [1986] Supp. 2013. Original rule filed April 9, 1986, effective April 19, 1986. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 70—Suspension, Revocation and  
Denial of Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-70.020 Director to Give Detailed Reason for Action.** The commission proposes adding a statute to the authority of the rule.

**PURPOSE:** The amendment adds section 313.265, RSMo as part of its authority.

**AUTHORITY:** section 313.220, RSMo [1986] Supp. 2013, and section 313.265, RSMo 2000. Original rule filed April 9, 1986, effective April 19, 1986. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 70—Suspension, Revocation and  
Denial of Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-70.030 Time and Manner for Submitting Evidence.** The commission proposes to amend subsections (1)(A) and (1)(B) and section (2).

**PURPOSE:** This amendment updates the terminology.

(1) All evidence or statements submitted under 12 CSR 40-70.010 shall be in written or documentary form and shall be delivered to the Missouri Lottery within thirty (30) days of the receipt of the notice provided in 12 CSR 40-70.020.

(A) Documents may be submitted in [dry duplication form] paper or electronic form.

(B) Witness testimony may be by sworn affidavit [or typewritten summary] and must contain the name, address, and telephone number of the witness. If the name, address, and telephone number are unknown, the sworn affidavit [or summary] shall state the fact together with how the facts became known to the licensee.

(2) Upon [the] receipt of the request of the licensee, the director may grant one (1) extension of an additional thirty (30) days for the submission of evidence.

**AUTHORITY:** section 313.220, RSMo [1986] Supp. 2013. Original rule filed April 9, 1986, effective April 19, 1986. Amended: Filed July 15, 2014.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.



**NOTICE TO SUBMIT COMMENTS:** *Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 70—Suspension, Revocation and  
Denial of Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-70.050 When Action Effective Immediately.** The commission proposes to amend subsection (1)(B) and add a statute to the authority of the rule.

**PURPOSE:** *This amendment updates the rule and adds section 313.260, RSMo as part of its authority.*

(1) A suspension or revocation of the license(s) any licensee shall have immediate effect when the director has reason to believe—

(B) The license was issued to any person through inadvertence or mistake and the licensee was not qualified under section 313.260, RSMo *[(1986)] (2000)*; or

**AUTHORITY:** *section 313.220, RSMo [1986] Supp. 2013, and section 313.260, RSMo 2000. Original rule filed April 9, 1986, effective April 19, 1986. Amended: Filed July 15, 2014.*

**PUBLIC COST:** *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

**PRIVATE COST:** *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE TO SUBMIT COMMENTS:** *Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 70—Suspension, Revocation and  
Denial of Licenses**

**PROPOSED AMENDMENT**

**12 CSR 40-70.080 Decision of the Director.** The commission proposes to amend section (2).

**PURPOSE:** *The purpose of this amendment is to clarify the language.*

(2) The decision shall be sent by certified mail~~/ed~~ to the licensee and to his/her attorney, if any.

**AUTHORITY:** *section 313.220, RSMo [1986] Supp. 2013. Original*

*rule filed April 9, 1986, effective April 19, 1986. Amended: Filed July 15, 2014.*

**PUBLIC COST:** *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

**PRIVATE COST:** *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE TO SUBMIT COMMENTS:** *Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 80—General Rules—*[Instant]* Scratchers Game**

**PROPOSED AMENDMENT**

**12 CSR 40-80.010 Definitions for All *[Instant]* Scratchers Games.** The commission proposes to amend the chapter name, rule name, purpose, and the rule itself.

**PURPOSE:** *This amendment updates the terminology for definitions used throughout the rules.*

**PURPOSE:** *The purpose of this rule is to define certain terms for the *[instant]* Scratchers games [which will be applicable to all instant games].*

(1) The following definitions shall apply to 12 CSR 40-80 and 12 CSR 40-90:

(A) *[Instant]* Scratchers ticket means a Missouri Lottery *[instant]* Scratchers game ticket~~/, share or also called a scratcher ticket~~;

(B) Play symbols are the symbols printed on *[instant]* Scratchers game tickets. One (1) of these play symbols appears under each rub-off spot *[on the front]* of the *[instant]* Scratchers ticket;

(C) Validation number is a unique number on *[the front of]* the *[instant]* Scratchers game ticket;

(D) Pack means a pack of *[instant]* Scratchers game tickets. A pack shall consist of *[instant]* Scratchers game tickets, bearing a common pack number and having ticket numbers sequentially through the pack;

(E) *[Instant]* Scratchers game is the Missouri Lottery game in which a preprinted ticket is purchased and upon removal of a *[latex or other covering]* scratch-off coating on *[the front of]* the ticket, the ticket bearer determines his/her winnings, if any;

(F) Game identification number-pack-ticket number is the unique number printed on the *[back of the instant]* Scratchers game ticket which designates game identification number, pack number, and ticket number;

(H) Retailer validation code consists of letters found under the *[latex or other covering]* scratch-off coating over the play symbols on *[the front of]* the *[instant]* Scratchers game ticket;

(I) Valid ticket is *[an instant]* a Scratchers game ticket which meets all of the lottery's validation requirements;

(J) Rub-off spot is an area of *[an instant game]* a Scratchers ticket covered with *[latex or other covering]* a scratch-off coating. The player removes the *[latex or other covering off]* scratch-off coating to reveal a play symbol, play symbol caption, or other validation number, or validation code beneath; and

(K) Instant prize is the prize revealed on *[an instant]* a **Scratchers** game ticket.

*AUTHORITY:* section 313.230(2), RSMo [1994] 2000. Original rule filed Jan. 10, 1986, effective Jan. 20, 1986. Amended: Filed April 9, 1986, effective April 19, 1986. Amended: Filed March 17, 1987, effective July 3, 1987. Amended: Filed Dec. 5, 1988, effective April 27, 1989. Amended: Filed June 3, 1999, effective Dec. 30, 1999. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

## Title 12—DEPARTMENT OF REVENUE

### Division 40—State Lottery

#### Chapter 80—General Rules—*[Instant]* Scratchers Game

#### PROPOSED AMENDMENT

**12 CSR 40-80.020 Manner of Selecting Winning *[Instant]* Scratchers Tickets; Frequency of Drawings.** The commission proposes to amend the purpose and section (1).

*PURPOSE:* This amendment updates the terminology.

*PURPOSE:* The purpose of this rule is to set forth the manner of determining *[instant game]* **Scratchers** prize winners.

(1) The manner of *[selecting]* **determining** winning tickets for each specific game shall be set in 12 CSR 40-90.110.

*AUTHORITY:* section 313.220, RSMo Supp. [1998] 2013. Original rule filed Jan. 10, 1986, effective Jan. 20, 1986. Amended: Filed June 3, 1999, effective Dec. 30, 1999. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

## Title 12—DEPARTMENT OF REVENUE

### Division 40—State Lottery

#### Chapter 80—General Rules—*[Instant]* Scratchers Game

#### PROPOSED AMENDMENT

**12 CSR 40-80.030 Limitation on Awarding Instant Prizes.** The commission proposes to amend sections (1) and (2).

*PURPOSE:* This amendment updates the terminology.

(1) Multiple instant prize amounts won may be paid on any given *[instant game]* **Scratchers** ticket.

(2) No portion of the display printing on the *[instant game]* **Scratchers** ticket nor any extraneous matter whatsoever shall be usable or playable as part of the *[instant game]* **Scratchers** ticket.

*AUTHORITY:* section 313.220, RSMo Supp. [1998] 2013. Original rule filed Jan. 10, 1986, effective Jan. 20, 1986. Amended: Filed June 3, 1999, effective Dec. 30, 1999. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

## Title 12—DEPARTMENT OF REVENUE

### Division 40—State Lottery

#### Chapter 80—General Rules—*[Instant]* Scratchers Game

#### PROPOSED AMENDMENT

**12 CSR 40-80.050 *[Instant Ticket]* Scratchers Validation Requirements.** The commission proposes to amend the rule name, purpose, and sections (1), (2), and (3), and subsections (1)(A), (1)(O), (1)(R)–(V), and (1)(X).

*PURPOSE:* This amendment updates the terminology.

*PURPOSE:* The purpose of this rule is to set forth the validation requirements for validating *[an instant game]* a **Scratchers** winning ticket.

(1) All of the following requirements must be met for *[an instant game]* a **Scratchers** ticket to be a valid *[instant game]* **Scratchers** winning ticket:

(A) Exactly one (1) play symbol must appear under each rub-off spot on the *[front of the]* ticket;

(O) The validation number of an apparent winning ticket shall appear on the lottery's official *[list]* file of validation numbers of winning tickets and the ticket with that validation number shall not have been paid previously according to the records of the lottery;

(R) Each of the play symbols on the ticket must correspond precisely to the *[artwork]* **game specifications** on file at the lottery.

Each of the play symbol captions must correspond precisely to the *[artwork] game specifications* on file at the lottery;

(S) The pack-ticket number must correspond precisely to the *[artwork] game specifications* on file at the lottery;

(T) The validation code must correspond precisely to the *[artwork] game specifications* on file at the lottery;

(U) The validation number must correspond precisely to the *[artwork] game specifications* on file at the lottery;

(V) The display printing must be regular in every respect and correspond precisely with the *[artwork] game specifications* on file at the lottery;

(X) The ticket must be *[an instant game] a Scratchers* ticket offered for sale by the Missouri Lottery during the period announced by the director for that *[instant] Scratchers* game.

(2) *[Except as provided in section (4), any ticket not passing all validation checks in this rule is void and ineligible for any prize and shall not be paid.] At the direction of the executive director, the lottery may pay a winning claim on a damaged or mutilated ticket. This is dependent on the lottery being able to identify the game-pack-ticket number or validation number, and a sufficient amount of the ticket play area, in order to have the ability to reconstruct the ticket, as directed by lottery procedure, to compare and successfully match it to the damaged/mutilated ticket. Provided that the ticket has not been validated, the lottery's executive director may authorize that the claim be paid.*

(3) The director, solely at his/her option, may replace an invalid ticket with an unplayed ticket(s) of equivalent sales price for any current lottery game. In the event a defective ticket is purchased, the only responsibility or liability of the lottery shall be the replacement of the defective ticket with another unplayed ticket(s) of equivalent sales price from any lottery *[instant] Scratchers* game currently on sale.

*AUTHORITY: section 313.220, RSMo Supp. [1998] 2013. Original rule filed Jan. 10, 1986, effective Jan. 20, 1986. Amended: Filed June 3, 1999, effective Dec. 30, 1999. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 80—General Rules—*[Instant] Scratchers* Game**

**PROPOSED AMENDMENT**

**12 CSR 40-80.090 Ticket Responsibility.** The commission proposes to amend the purpose and sections (1) and (3).

*PURPOSE: This amendment updates the terminology.*

*PURPOSE: The purpose of this rule is to set forth the responsibility for *[instant game] Scratchers* winning tickets.*

(1) The player shall be responsible for *[instant game] Scratchers* tickets he/she purchased that may be subsequently lost or stolen.

(3) *[An instant game] A Scratchers* ticket is a bearer instrument, until signed on the back by the owner(s).

*AUTHORITY: section 313.220, RSMo Supp. [1998] 2013. Original rule filed Jan. 10, 1986, effective Jan. 20, 1986. Amended: Filed June 3, 1999, effective Dec. 30, 1999. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

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**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 80—General Rules—*[Instant] Scratchers* Game**

**PROPOSED AMENDMENT**

**12 CSR 40-80.100 Disputes.** The commission proposes to amend the purpose and section (1).

*PURPOSE: This amendment updates the terminology.*

*PURPOSE: The purpose of this rule is to set forth the remedy for disputed winning *[instant] Scratchers* tickets.*

(1) In the event a dispute between the lottery and a ticket bearer occurs as to whether the ticket is a winning *[instant] Scratchers* ticket, and if the ticket prize is not paid, the director, solely at his/her option, may replace the disputed ticket with an unplayed ticket(s) of equivalent sales price from any current lottery instant game. All decisions of the director as to the winning ticket disputes are final and no administrative appeal shall be allowed.

*AUTHORITY: section 313.220, RSMo Supp. [1998] 2013. Original rule filed Jan. 10, 1986, effective Jan. 20, 1986. Amended: Filed June 3, 1999, effective Dec. 30, 1999. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603,*

Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE**  
**Division 40—State Lottery**  
**Chapter 80—General Rules—[Instant] Scratchers Game**

**PROPOSED AMENDMENT**

**12 CSR 40-80.110 Compliance.** The commission proposes to amend section (1).

*PURPOSE:* This amendment updates the terminology.

(1) In purchasing [an instant game] a **Scratchers** ticket, the customer agrees to comply with and abide by Section 313.200, RSMo all rules of the lottery commission and all procedures and instructions established by the director for the conduct of the [instant] **Scratchers** game for which ticket is purchased.

*AUTHORITY:* section 313.220, RSMo [1986] *Supp.* 2013. Original rule filed Jan. 10, 1986, effective Jan. 20, 1986. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE**  
**Division 40—State Lottery**  
**Chapter 80—General Rules—[Instant] Scratchers Game**

**PROPOSED AMENDMENT**

**12 CSR 40-80.120 Termination of [an Instant] Scratchers Games.** The commission proposes to amend the rule name, purpose, and section (1).

*PURPOSE:* This amendment updates the terminology.

*PURPOSE:* The purpose of this rule is to authorize the director to announce a termination date for [instant] **Scratchers** games.

(1) The director at any time may announce a termination date for any [instant] **Scratchers** game. Tickets for the terminated game may not be sold or **validated** after the date announced.

*AUTHORITY:* section 313.220, RSMo [1986] *Supp.* 2013. Original rule filed Jan. 10, 1986, effective Jan. 20, 1986. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE**  
**Division 40—State Lottery**  
**Chapter 80—General Rules—[Instant] Scratchers Game**

**PROPOSED AMENDMENT**

**12 CSR 40-80.130 Retailer Conduct.** The commission proposes to amend section (2) and add a new section (3).

*PURPOSE:* The purpose of this amendment is to update the terminology and limit the lottery's liability.

(2) Licensees or their employees are prohibited from playing [instant game] **Scratchers** tickets using any method which gives the licensee or his/her employees an advantage in terms of odds of winning over the public at large.

(3) The lottery reserves the right to immediately halt **Scratchers** sales at any retail location to limit the liability to the lottery and its retailer. Sales may resume at the discretion of the lottery.

*AUTHORITY:* section 313.220, RSMo [1986] *Supp.* 2013. Original rule filed Jan. 10, 1986, effective Jan. 20, 1986. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE**  
**Division 40—State Lottery**  
**Chapter 85—[On-line] Draw Game**

**PROPOSED AMENDMENT**

**12 CSR 40-85.005 Definitions for All [On-Line] Draw Games.** The commission proposes to amend the chapter name, rule name, purpose, and the rule itself.

*PURPOSE: This amendment updates the terminology.*

*PURPOSE: This rule defines certain terms for [the on-line] all draw games [which will be applicable to all on-line games].*

(1) Certified drawing. A drawing in which the lottery and an independent certified public *[accountant]* **accounting firm** attests that the drawing equipment functioned properly and that a random selection of a winning combination has occurred.

(3) Duplicate ticket. A ticket produced by photograph, *[xerography]* **copier**, or any other method other than a ticket generated by *[an on-line]* **a draw games** terminal.

(4) *[On-line]* **Draw game**. A game played on *[an on-line]* **a draw game** terminal which is in communication with the lottery's computer **gaming system**; also known as a computer-generated game.

(5) *[On-line]* **Draw games** lottery *[contractor]* **retailer**. A licensed retailer who has contracted with the lottery to sell *[on-line]* **draw games**.

(6) *[On-line]* **Computer gaming** system. The lottery's *[on-line]* **draw games** computer **gaming** system consisting of *[on-line]* **draw games** terminals and related equipment which communicates with the central processing equipment and a communication network.

(7) *[On-line]* **Draw games** terminal *[OLT]*. Computer hardware through which *[an on-line]* **a draw games** lottery *[contractor]* **retailer** enters the combination selected by a player and by which game tickets are generated and claims may be validated.

(8) *[On-line]* **Draw games** ticket. A computer generated ticket issued by *[an on-line]* **a draw games** lottery *[contractor]* **retailer** to a player as a *[receipt]* **record** for the *[items]* **numbers/wager** or combination of *[items]* **numbers/wagers** the player has selected.

(9) *[Player-selected item]* **Number and Wager Selection Types**.

(A) **Player-selected numbers/wagers**. A number or *[item]* **wager** or group of numbers or *[items]* **wagers** selected by a player in connection with *[an on-line]* **a draw game**.

(B) *[Player-selected items include selections of items randomly by the computer on-line system.]* **Computer-generated numbers. Numbers randomly selected by the computer gaming system**. The computer-generated numbers *[or items]* **are** also *[are]* known as **quick picks** or auto-picks.

(11) Validation. The process of determining whether *[an on-line]* **a draw games** ticket presented for payment is a winning ticket.

(12) Validation number. The number printed on the front of each *[on-line]* **draw games** ticket which is used for validation.

*AUTHORITY: section 313.220, RSMo Supp. [1999] 2013. Original rule filed July 15, 1986, effective July 25, 1986. Amended: Filed May 25, 2000, effective Nov. 30, 2000. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in per-*

*son at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 85—*[On-line]* Draw Game**

**PROPOSED AMENDMENT**

**12 CSR 40-85.010 *[On-Line Game]* Draw Games Contract Provisions.** The commission proposes to amend the chapter name, rule name, purpose, and rule.

*PURPOSE: This amendment updates the terminology.*

*PURPOSE: This rule establishes certain provisions for the [on-line game] draw games contract.*

(1) In addition to provisions of the *[on-line]* **draw games** contract unique to each *[contractor]* **retailer**, the *[on-line game]* **draw games** contract may provide the following provisions:

(A) A discount commission of a percentage set by the executive director of *[on-line]* **draw games** tickets sold by the *[contractor]* **retailer**./;

(B) An installation fee as may be established by the executive director./;

(C) If the *[contractor]* **retailer** has purchased a business where a terminal has previously been installed, reconnection fees may be charged as may be established by the executive director./;

(D) Requirements that the *[contractor]* **retailer**—

1. *[Sell all on-line games offered;]* **Sell all games as required by the lottery;**

2. Furnish players with proper claim forms provided by the lottery;

3. *[Post]* **Provide** winning numbers *[prominently];*

4. Attend training provided by the lottery;

5. Allow only trained personnel to operate terminals;

6. Report malfunctions **as soon as practicable; and**

7. Prominently display point-of-sale and other game-related materials **and equipment**./; *and*./

*[8. Sell Scratchier games.]*

(E) A weekly *[telephone]* **communications** fee as established by the executive director./; **and**

(F) Hold the *[contractor]* **retailer** liable for negligent or intentional damage to or loss of **lottery** or vendor equipment.

*AUTHORITY: section 313.220, RSMo Supp. [1999] 2013. Original rule filed June 4, 1986, effective June 14, 1986. Amended: Filed March 17, 1987, effective March 27, 1987. Amended: Filed March 1, 1988, effective May 26, 1988. Amended: Filed May 25, 2000, effective Nov. 30, 2000. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 85—[On-line] Draw Game**

**PROPOSED RESCISSION**

**12 CSR 40-85.020 Criteria for On-line Terminal Award.** This rule lists the criteria for the award of on-line game contracts.

**PURPOSE:** *The commission proposes to rescind this rule as it is no longer applicable.*

**AUTHORITY:** *section 313.220, RSMo Supp. 1988. Original rule filed June 4, 1986, effective June 14, 1986. Amended: Filed Dec. 5, 1988, effective April 27, 1989. Rescinded: Filed July 15, 2014.*

**PUBLIC COST:** *This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

**PRIVATE COST:** *This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE TO SUBMIT COMMENTS:** *Anyone may file a statement in support of or in opposition to this proposed rescission with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 85—[On-line] Draw Game**

**PROPOSED AMENDMENT**

**12 CSR 40-85.030 [On-Line] Draw Games Ticket Validation Requirements.** The commission proposes to amend the chapter name, rule name, purpose, and section (1).

**PURPOSE:** *This amendment updates the terminology.*

**PURPOSE:** *This rule sets forth the validation requirements for validating [on-line] draw games winning tickets.*

(1) All of the following requirements must be met for *[an on-line game] a draw games* ticket to be a valid *[on-line game] draw games* winning ticket:

(B) The ticket shall not be *[mutilated,]* altered, reconstituted, or tampered with in any manner;

(D) The ticket shall have been issued by the lottery through *[an on-line game contractor] a draw games retailer* in an authorized manner;

(G) The ticket data shall have been recorded in the *[central]* computer **gaming** system *[or magnetic tape or disc]* before the drawing and the ticket data shall match this computer record in every respect;

(H) The player-selected *[items] numbers/wagers*, the validation number data, and the drawing date of an apparent winning ticket shall appear on the official file of winning tickets and a single-lettered game grid with the exact data may have not been previously paid;

**AUTHORITY:** *section 313.220, RSMo Supp. [1999] 2013. Original rule filed July 15, 1986, effective July 25, 1986. Amended: Filed May 25, 2000, effective Nov. 30, 2000. Amended: Filed July 15, 2014.*

**PUBLIC COST:** *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

**PRIVATE COST:** *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE TO SUBMIT COMMENTS:** *Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 85—[On-line] Draw Game**

**PROPOSED AMENDMENT**

**12 CSR 40-85.050 Prize Amounts for [On-Line] Parimutuel Draw Games.** The commission proposes to amend the rule name and sections (1), (2), (4), and (5).

**PURPOSE:** *This amendment updates the terminology.*

(1) The total amount of prize money allocated to the winnings pool for *[on-line] draw* games shall be a minimum of forty-five percent (45%) of the total gross *[on-line] draw games* sales. *[Any unfunded portion of the guaranteed first prize may be funded from the Lottery Prize Reserve Fund.]*

(2) The allocation of the *[on-line] draw games* winnings to the prize categories shall be announced by the executive director at least one (1) week prior to the effective date of this rule and one (1) week prior to any future changes in the allocation.

(4) In *[an on-line] a draw* game, if no winning ticket qualifies for *[any of the] a prize [categories] category*, the amount allocated for the prize shall be carried over and added to the prize pool of the next drawing for that particular game or will be allocated to other prize levels according to the rules of that game.

(5) The amount allocated to the first prize may be used to purchase securities or an annuity for each winning play. The first prize will be payable to winning tickets by an initial cash payment plus *[equal]* payments as established by the executive director. Any winning ticket owned in shares by multiple owners shall be funded as outlined above to the owners as declared on the claim form for claiming the *[on-line] draw games* prizes. As established by the executive director, the first prize may be payable to winning ticket holder(s) in a lump sum cash payment equal to the cash value of the first prize annuity or a percentage of the first prize. *[The decision to accept a lump sum payment must be unanimously agreed to by all owners of the ticket.]*

**AUTHORITY:** *section[s] 313.220, RSMo Supp. [1999] 2013, and section 313.230, RSMo [1994] 2000. Original rule filed July 15, 1986, effective July 25, 1986. Amended: Filed May 14, 1987, effective Aug. 13, 1987. Amended: Filed Aug. 4, 1988, effective Oct. 27, 1988. Amended: Filed Sept. 15, 1997, effective March 30, 1998. Amended: Filed May 25, 2000, effective Nov. 30, 2000. Amended: Filed July 15, 2014.*

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 85—[On-line] Draw Game**

**PROPOSED AMENDMENT**

**12 CSR 40-85.055 Designation for Specifics for Each [On-Line] Draw Game.** The commission proposes to amend the rule name, purpose, sections (1), (2), and (3), and subsection (1)(D).

*PURPOSE:* This amendment updates the terminology.

*PURPOSE:* This rule designates the specifics the director will publish for each [on-line] draw game.

(1) The director shall publish the following specifics for each [on-line] draw game at least one (1) week prior to the start of that game:

(D) The [method of announcing the] allocation of the winnings pool to the prize categories;

(2) The director shall retain the specifics for each [on-line] draw game at the Jefferson City office of the Missouri Lottery for one (1) year following the last day on which prizes may be claimed for that game.

(3) The director shall cause the specifics set out in section (1) to be published [on point of sale materials] and [be] released to media for publication to [ensure by] inform the public and players [to] of the specifics of the [on-line] draw game.

*AUTHORITY:* section 313.230(1)(b)(c)(d), RSMo [Cum. Supp. 1990] 2000. Original rule filed May 14, 1987, effective Aug. 13, 1987. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 85—[On-line] Draw Game**

**PROPOSED AMENDMENT**

**12 CSR 40-85.060 Further Limitations on [On-Line] Draw Games Prizes.** The commission proposes to amend the rule name, sections (1), (3), (5), (6), and add a new section (8).

*PURPOSE:* This amendment updates the terminology and adds a new section outlining game liability limits.

(1) The winning player(s) agrees by submitting [an on-line] a draw games ticket for validation to abide by the statutes and rules pertaining to the Missouri Lottery and to the [on-line] draw games.

(3) The [on-line] draw games ticket shall be a bearer instrument until it is signed. The owner(s) of a winning ticket must declare all other owners and the percentage of ownership for a winning ticket at the time of filing a claim with the Missouri Lottery or presenting the ticket for validation to [an on-line] a draw games lottery [contractor] retailer.

(5) The player shall be responsible for lost or stolen [on-line game] draw games tickets. The lottery shall not be responsible for lost or stolen draw games tickets.

(6) [An on-line] A draw games game play may only be claimed for the highest prize category won.

(8) Game liability limits—

(A) When the potential aggregate prize liability, resulting from all wagers containing a particular combination of numbers, reaches or first exceeds a prize payout level as determined by the director in a single drawing, no further wagers of that number combination shall be accepted by the lottery gaming system for that drawing.

(B) Notwithstanding subsection (A) of this section, the director may, when conditions so warrant as determined in the director's sole discretion, establish a prize liability threshold that is higher than the published level for a single drawing.

*AUTHORITY:* section 313.220, RSMo Supp. [1999] 2013. Original rule filed July 15, 1986, effective July 25, 1986. Amended: Filed Feb. 11, 1987, effective Feb. 21, 1987. Amended: Filed May 25, 2000, effective Nov. 30, 2000. Amended: Filed July 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 85—[On-line] Draw Game**

**PROPOSED AMENDMENT**

**12 CSR 40-85.070 Disputes.** The commission proposes to amend the



purpose and section (1).

*PURPOSE: This amendment updates the terminology.*

*PURPOSE: This rule sets forth the remedy for disputed [winning] tickets.*

(1) In the event of a dispute between the lottery and the owner(s) or bearer(s) of a [winning] ticket as to whether the ticket is, in fact, a winning ticket, and if the claimed prize is not paid, the director, solely at his/her option, may replace the disputed ticket with an unplayed ticket(s) of equivalent price from any current [on-line] draw game. All decisions of the director as to winning tickets or any other disputes concerning the operation of the [on-line game] draw games are final and no administrative appeal shall be allowed.

*AUTHORITY: section 313.220, RSMo Supp. [1988] 2013. Original rule filed July 15, 1986, effective July 25, 1986. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## Title 12—DEPARTMENT OF REVENUE Division 40—State Lottery Chapter 85—[On-line] Draw Game

### PROPOSED AMENDMENT

**12 CSR 40-85.080 Payments of Prizes Up to [\$599] \$600 Authorized.** The commission proposes to amend the rule name, purpose, and the rule.

*PURPOSE: This amendment updates the terminology and also updates the dollar amount of prizes a retailer is authorized to pay.*

*PURPOSE: This rule sets forth the manner of payment of prizes by [on-line contractors] draw games retailers.*

(1) [On-line] Draw games lottery [contractors] retailers shall pay [on-line] draw games prizes up to and including [five hundred ninety-nine] six hundred dollars [(\$599)] \$600. The executive director may allow exceptions to the criteria in this rule.

(2) Any [on-line contractor] draw games retailer may pay a prize for a winning [on-line] draw games ticket regardless of where the [on-line] draw games ticket was purchased.

(3) Lottery [on-line] draw game [contractors] retailers shall follow the procedures for validation of the tickets issued by the lottery before paying any [on-line] draw games prize.

(4) All winning tickets up to [\$599] six hundred dollars (\$600) may be processed at [an on-line] a draw games lottery [contractor] retailer.

(5) Winning tickets over [\$599] six hundred dollars (\$600) shall be processed at [or with] a lottery [redemption center] office, the location of which shall be published periodically by the [L/lottery].

*AUTHORITY: section 313.220, RSMo Supp. [1999] 2013. Original rule filed July 15, 1986, effective July 25, 1986. Amended: Filed Feb. 11, 1987, effective Feb. 21, 1987. Amended: Filed May 25, 2000, effective Nov. 30, 2000. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## Title 12—DEPARTMENT OF REVENUE Division 40—State Lottery Chapter 85—[On-line] Draw Game

### PROPOSED AMENDMENT

**12 CSR 40-85.090 Cancellation of or Failure to Enter [On-Line] Draw Game Tickets.** The commission proposes to amend the rule name, purpose, section (1) and subsection (1)(A).

*PURPOSE: This amendment updates the terminology.*

*PURPOSE: This rule provides for suspension or revocation of licenses for any [licensee] retailer who knowingly cancels an [on-line] draw game ticket without being requested to do so by the player owning the ticket or for the [licensee] retailer to fail to enter the play as requested by the player.*

(1) A [licensee] retailer may be subject to suspension or revocation of his/her license if s/he knowingly either—

(A) Cancels any [on-line] draw game ticket without being requested to do so by the player owning that ticket; or

*AUTHORITY: section 313.220, RSMo Supp. [1988] 2013. Original rule filed Sept. 15, 1986, effective Sept. 25, 1986. Amended: Filed Nov. 14, 1986, effective Nov. 24, 1986. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*



**Title 12—DEPARTMENT OF REVENUE**  
**Division 40—State Lottery**  
**Chapter 85—[On-line] Draw Game**

**PROPOSED AMENDMENT**

**12 CSR 40-85.100 Change of Location or of Business Organization for [On-Line Contractor] Draw Game Retailer.** The commission proposes to amend the rule name, purpose, and sections (1), (2), and (3), and subsection (1)(A).

*PURPOSE: This amendment updates the terminology and clarifies the appropriate rules to cite within the rule.*

*PURPOSE: This rule sets forth certain criteria for a change of location or of business organization for [on-line contractors in addition to 12 CSR 40-85.020] draw game retailer.*

(1) The existing [on-line] draw game contract shall terminate whenever—

(A) Any [on-line contractor] draw game retailer changes location; or

(2) A new contract may be awarded on the basis of the factors set forth in 12 [CSR40-85.020] **CSR 40-40.090**.

(3) A change of business structure or change of ownership not included in 12 CSR 40-85.100(1) for [an on-line contractor] a draw game retailer will not require a new determination of factors set forth in 12 [CSR 40-85.020] **CSR 40-40.090** even though a new contract is signed with the new business entity.

*AUTHORITY: section 313.220, RSMo Supp. [1988] 2013. Original rule filed Nov. 14, 1986, effective Nov. 24, 1986. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE**  
**Division 40—State Lottery**  
**Chapter 85—[On-line] Draw Game**

**PROPOSED AMENDMENT**

**12 CSR 40-85.140 Drawing and Selling Times.** The commission proposes to amend the purpose of the rule.

*PURPOSE: This amendment updates the terminology.*

*PURPOSE: This rule establishes the drawing and selling times for the [on-line] draw games.*

*AUTHORITY: section 313.220, RSMo Supp. [1999] 2013. Original rule filed Feb. 11, 1987, effective Feb. 21, 1987. Amended: Filed Dec. 5, 1988, effective April 27, 1989. Amended: Filed May 25, 2000, effective Nov. 30, 2000. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE**  
**Division 40—State Lottery**  
**Chapter 85—[On-line] Draw Game**

**PROPOSED AMENDMENT**

**12 CSR 40-85.170 Game Sell-Out Prohibited.** The commission proposes to amend section (1) and add section (2).

*PURPOSE: The purpose of this amendment is to update the terminology and to outline the right to halt draw game sales to limit the liability to the lottery.*

(1) No Missouri lottery office or Missouri lottery retailer shall directly and knowingly sell a ticket or combination of tickets to any person or entity which would guarantee such a purchaser a prize in [an on-line game or on-line game promotion] a draw game or draw game promotion.

(2) The lottery reserves the right to immediately halt draw game sales at any retail location to limit the liability to the lottery and its retailer. Sales may resume at the discretion of the lottery.

*AUTHORITY: section 313.220, RSMo Supp. [2004] 2013. Original rule filed Sept. 17, 1992, effective June 7, 1993. Amended: Filed Aug. 24, 2004, effective March 30, 2005. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 85—[On-line] Draw Game**

**PROPOSED AMENDMENT**

**12 CSR 40-85.175 Entry of Plays.** The commission proposes to amend the purpose and rule.

*PURPOSE: This amendment updates the terminology.*

*PURPOSE: [This rule provides acceptable methods of playing any one-line lottery game.] This rule provides acceptable methods of playing lottery draw games at retail locations.*

*[On-line] Draw game* plays may only be entered manually using the lottery terminal keypad or touch screen, or by means of inserting a playslip provided by the Missouri Lottery and handmarked by the player or by other means approved by the Missouri Lottery. Retailers shall not permit facsimile playslips, copies of playslips, or other materials not printed or approved by the Missouri Lottery to be inserted into the terminal's playslip reader. Retailers shall not permit any device to be connected to a lottery terminal to enter plays, except as approved by the Missouri Lottery.

*AUTHORITY: section 313.220, RSMo Supp. [1988] 2013. Original rule filed Feb. 4, 1993, effective Aug. 9, 1993. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 90—Specific [Instant] Scratchers Game Rule**

**PROPOSED AMENDMENT**

**12 CSR 40-90.110 Designation of Specifics for Each [Instant] Scratchers Game.** The commission proposes to amend the chapter name, rule name, purpose, and section (1).

*PURPOSE: This amendment updates the terminology.*

*PURPOSE: This rule requires the director to publish the specifics for each [instant] Scratchers game one (1) week before the game starts.*

(1) The director shall publish and provide to [licensees] retailers the specifics for each [instant] Scratchers game at least one (1) week prior to the start of that game.

*AUTHORITY: section 313.220, RSMo Supp. [1998] 2013. Original rule filed April 9, 1986, effective April 19, 1986. Amended: Filed June 3, 1999, effective Dec. 30, 1999. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 95—Pull Tab Game**

**PROPOSED AMENDMENT**

**12 CSR 40-95.010 Pull Tab Game.** The commission proposes to amend section (1).

*PURPOSE: This amendment updates the terminology, addresses where the prize structure will be displayed, and outlines how the lottery will limit its liability on this game.*

(1) The following rule shall define the game Pull Tab as a game for the Missouri Lottery:

(B) The price of Pull Tab tickets to [retail licenses] retailers shall be established by the executive director;

(C) [The prize structure for each Pull Tab game shall be displayed in the immediate vicinity of the pull tab dispensing device and those prizes shall be in full view of any person prior to that person purchasing the opportunity to play;] The prize structure for each Pull Tab game will be published and available on the lottery's website, MOlottery.com two (2) weeks prior to the first sale of each game;

[(D) Players must redeem a winning Pull Tab ticket the same day as it was purchased and must redeem all winning Pull Tab tickets at the retailer at which the ticket was purchased;]

[(E)](D) A licensed lottery retailer may sell pull tabs at the discretion of the executive director; [and]

[(F)](E) Compensation for the sale of Pull Tab tickets shall be paid by the lottery at an amount to be determined by the executive director [as a discount from the retail price of tickets in each carton]. The executive director may institute an incentive program[.]; and

(F) The lottery reserves the right to immediately halt Pull Tab sales at any retail location to limit the liability to the lottery and its retailer. Sales may resume at the discretion of the lottery.

*AUTHORITY: section 313.230, RSMo [1994] 2000. Original rule filed Feb. 16, 1990, effective April 26, 1990. Amended: Filed May 25, 2000, effective Nov. 30, 2000. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE TO SUBMIT COMMENTS:** *Anyone may file a statement in support of or in opposition to this proposed amendment with Philip Smith, Director of Legal Services, Missouri Lottery, PO Box 1603, Jefferson City, MO 65102-1603. Comments may be delivered in person at 1823 Southridge Drive, Jefferson City, MO. We will not accept comments via email. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—MO HealthNet Division  
Chapter 10—Nursing Home Program**

**PROPOSED AMENDMENT**

**13 CSR 70-10.016 Global Per Diem Adjustments to Nursing Facility and HIV Nursing Facility Reimbursement Rates.** The division is adding paragraph (3)(A)18.

**PURPOSE:** *This amendment provides for a per diem increase to nursing facility and HIV nursing facility per diem reimbursement rates by granting a one dollar and twenty-five cents (\$1.25) increase to the current per diem rate for dates of service beginning July 1, 2014.*

(3) Adjustments to the Reimbursement Rates. Subject to the limitations prescribed in 13 CSR 70-10.015, a nursing facility's reimbursement rate may be adjusted as described in this section. Subject to the limitations prescribed in 13 CSR 70-10.080, an HIV nursing facility's reimbursement rate may be adjusted as described in this section.

(A) Global Per Diem Rate Adjustments. A facility with either an interim rate or a prospective rate may qualify for the global per diem rate adjustments. Global per diem rate adjustments shall be added to the specified cost component ceiling.

**1. FY-96 negotiated trend factor—**

A. Facilities with either an interim rate or prospective rate in effect on October 1, 1995, shall be granted an increase to their per diem effective October 1, 1995, of four and six-tenths percent (4.6%) of the cost determined in paragraphs (11)(A)1., (11)(B)1., (11)(C)1., and the property insurance and property taxes detailed in subsection (11)(D) of 13 CSR 70-10.015; or

B. Facilities that were granted a prospective rate based on paragraph (12)(A)2. of 13 CSR 70-10.015 that is in effect on October 1, 1995, shall have their increase determined by subsection (3)(S) of 13 CSR 70-10.015.

**2. FY-97 negotiated trend factor—**

A. Facilities with either an interim rate or prospective rate in effect on October 1, 1996, shall be granted an increase to their per diem effective October 1, 1996, of three and seven-tenths percent (3.7%) of the cost determined in paragraphs (11)(A)1., (11)(B)1., (11)(C)1., and the property insurance and property taxes detailed in subsection (11)(D) of 13 CSR 70-10.015; or

B. Facilities that were granted a prospective rate based on paragraph (12)(A)2. of 13 CSR 70-10.015 that is in effect on October 1, 1995, shall have their increase determined by subsection (3)(S) of 13 CSR 70-10.015.

**3. Nursing Facility Reimbursement Allowance (NFRA).** Effective October 1, 1996, all facilities with either an interim rate or a prospective rate shall have its per diem adjusted to include the current NFRA as an allowable cost in its reimbursement rate calculation.

**4. Minimum wage adjustment.** All facilities with either an interim rate or a prospective rate in effect on November 1, 1996, shall be granted an increase to their per diem effective November 1, 1996, of two dollars and forty-five cents (\$2.45) to allow for the change in minimum wage. Utilizing Fiscal Year 1995 cost report data, the total industry hours reported for each payroll category was multiplied by

the fifty-cent (50¢) increase, divided by the patient days for the facilities reporting hours for that payroll category and factored up by eight and sixty-seven hundredths percent (8.67%) to account for the related increase to payroll taxes. This calculation excludes the director of nursing, the administrator, and assistant administrator.

**5. Minimum wage adjustment.** All facilities with either an interim rate or a prospective rate in effect on September 1, 1997, shall be granted an increase to their per diem effective September 1, 1997, of one dollar and ninety-eight cents (\$1.98) to allow for the change in minimum wage. Utilizing Fiscal Year 1995 cost report data, the total industry hours reported for each payroll category was multiplied by the forty-cent (40¢) increase, divided by the patient days for the facilities reporting hours for that payroll category and factored up by eight and sixty-seven hundredths percent (8.67%) to account for the related increase to payroll taxes. This calculation excludes the director of nursing, the administrator, and assistant administrator.

**6. FY-98 negotiated trend factor—**

A. Facilities with either an interim rate or prospective rate in effect on October 1, 1997, shall be granted an increase to their per diem effective October 1, 1997, of three and four-tenths percent (3.4%) of the cost determined in paragraphs (11)(A)1., (11)(B)1., (11)(C)1., and the property insurance and property taxes detailed in subsection (11)(D) of 13 CSR 70-10.015 for nursing facilities and 13 CSR 70-10.080 for HIV nursing facilities; or

B. Facilities that were granted a prospective rate based on paragraph (12)(A)2. of 13 CSR 70-10.015 that is in effect on October 1, 1995, shall have their increase determined by subsection (3)(S) of 13 CSR 70-10.015.

**7. FY-99 negotiated trend factor—**

A. Facilities with either an interim rate or prospective rate in effect on October 1, 1998, shall be granted an increase to their per diem effective October 1, 1998, of two and one-tenth percent (2.1%) of the cost determined in paragraphs (11)(A)1., (11)(B)1., (11)(C)1., the property insurance and property taxes detailed in subsection (11)(D) of 13 CSR 70-10.015 for nursing facilities and 13 CSR 70-10.080 for HIV nursing facilities, and the minimum wage adjustments detailed in paragraphs (3)(A)4. and (3)(A)5. of this regulation; or

B. Facilities that were granted a prospective rate based on paragraph (12)(A)2. of 13 CSR 70-10.015 that is in effect on October 1, 1998, shall have their increase determined by subsection (3)(S) of 13 CSR 70-10.015.

**8. FY-2000 negotiated trend factor—**

A. Facilities with either an interim rate or prospective rate in effect on July 1, 1999, shall be granted an increase to their per diem effective July 1, 1999, of one and ninety-four hundredths percent (1.94%) of the cost determined in subsections (11)(A), (11)(B), (11)(C), the property insurance and property taxes detailed in subsection (11)(D) of 13 CSR 70-10.015 for nursing facilities and 13 CSR 70-10.080 for HIV nursing facilities, and the minimum wage adjustments detailed in paragraphs (3)(A)4. and (3)(A)5. of this regulation; or

B. Facilities that were granted a prospective rate based on paragraph (12)(A)2. of 13 CSR 70-10.015 that is in effect on July 1, 1999, shall have their increase determined by subsection (3)(S) of 13 CSR 70-10.015.

**9. FY-2004 nursing facility operations adjustment—**

A. Facilities with either an interim rate or prospective rate in effect on July 1, 2003, shall be granted an increase to their per diem effective for dates of service beginning July 1, 2003, through June 30, 2004, of four dollars and thirty-two cents (\$4.32) for the cost of nursing facility operations. Effective for dates of service beginning July 1, 2004, the per diem adjustment shall be reduced to three dollars and seventy-eight cents (\$3.78); and

B. The operations adjustment shall be added to the facility's current rate as of June 30, 2003, and is effective for payment dates after August 1, 2003.

**10. FY-2007 quality improvement adjustment—**

A. Facilities with either an interim rate or prospective rate in effect on July 1, 2006, shall be granted an increase to their per diem effective for dates of service beginning July 1, 2006, of three dollars and seventeen cents (\$3.17) to improve the quality of life for nursing facility residents; and

B. The quality improvement adjustment shall be added to the facility's current rate as of June 30, 2006, and is effective for dates of service beginning July 1, 2006, and after.

**11. FY-2007 trend adjustment—**

A. Facilities with either an interim rate or a prospective rate in effect on February 1, 2007, shall be granted an increase to their per diem rate effective for dates of service beginning February 1, 2007, of three dollars and zero cents (\$3.00) to allow for a trend adjustment to ensure quality nursing facility services; and

B. The trend adjustment shall be added to the facility's reimbursement rate as of January 31, 2007, and is effective for dates of service beginning February 1, 2007, for payment dates after March 1, 2007.

**12. FY-2008 trend adjustment—**

A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2007, shall be granted an increase to their per diem rate effective for dates of service beginning July 1, 2007, of six dollars and zero cents (\$6.00) to allow for a trend adjustment to ensure quality nursing facility services; and

B. The trend adjustment shall be added to the facility's current rate as of June 30, 2007, and is effective for dates of service beginning July 1, 2007.

**13. FY-2009 trend adjustment—**

A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2008, shall be granted an increase to their per diem rate effective for dates of service beginning July 1, 2008, of six dollars and zero cents (\$6.00) to allow for a trend adjustment to ensure quality nursing facility services; and

B. The trend adjustment shall be added to the facility's current rate as of June 30, 2008, and is effective for dates of service beginning July 1, 2008.

**14. FY-2010 trend adjustment—**

A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2009, shall be granted an increase to their per diem rate effective for dates of service beginning July 1, 2009, of five dollars and fifty cents (\$5.50) to allow for a trend adjustment to ensure quality nursing facility services; and

B. The trend adjustment shall be added to the facility's current rate as of June 30, 2009, and is effective for dates of service beginning July 1, 2009.

**15. FY-2012 trend adjustment—**

A. Facilities with either an interim rate or a prospective rate in effect on October 1, 2011, shall be granted an increase to their per diem rate effective for dates of service beginning October 1, 2011, of six dollars and zero cents (\$6.00) to allow for a trend adjustment to ensure quality nursing facility services;

B. The trend adjustment shall be added to the facility's current rate as of September 30, 2011, and is effective for dates of service beginning October 1, 2011; and

C. This increase is contingent upon the federal assessment rate limit increasing to six percent (6%) and is subject to approval by the Centers for Medicare and Medicaid Services.

**16. FY-2013 trend adjustment—**

A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2012, shall be granted an increase to their per diem rate effective for dates of services beginning July 1, 2012, of six dollars and zero cents (\$6.00) to allow for a trend adjustment to ensure quality nursing facility services;

B. The trend adjustment shall be added to the facility's current rate as of June 30, 2012, and is effective for dates of service beginning July 1, 2012; and

C. This increase is contingent upon approval by the Centers for Medicare and Medicaid Services.

**17. FY-2014 trend adjustment—**

A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2013, shall be granted an increase to their per diem rate effective for dates of services beginning July 1, 2013, of three percent (3.0%) of their current rate, less certain fixed cost items. The fixed cost items are the per diem amounts included in the facility's current rate from the following: subsection (2)(O) of 13 CSR 70-10.110, paragraphs (11)(D)1., (11)(D)2., (11)(D)3., (11)(D)4., (13)(B)3. and (13)(B)10. of 13 CSR 70-10.015;

B. The trend adjustment shall be added to the facility's current rate as of June 30, 2013, and is effective for dates of service beginning July 1, 2013; and

C. This increase is contingent upon approval by the Centers for Medicare and Medicaid Services.

**18. FY-2015 trend adjustment—**

**A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2014, shall be granted an increase to their per diem rate effective for dates of services beginning July 1, 2014, of one dollar and twenty-five cents (\$1.25) to allow for a trend adjustment to ensure quality nursing facility services;**

**B. The trend adjustment shall be added to the facility's current rate as of June 30, 2014, and is effective for dates of service beginning July 1, 2014; and**

**C. This increase is contingent upon approval by the Centers for Medicare and Medicaid Services.**

*AUTHORITY: section 208.159, RSMo 2000, and sections 208.153 and 208.201, RSMo Supp. 2013. Original rule filed July 1, 2008, effective Jan. 30, 2009. For intervening history, please consult the Code of State Regulations. Amended: Filed July 15, 2014.*

*PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions approximately \$11,174,327 in SFY 2015.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be delivered by regular mail, express or overnight mail, in person, or by courier within thirty (30) days after publication of this notice in the Missouri Register. If to be hand-delivered, comments must be brought to the MO HealthNet Division at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.*

**FISCAL NOTE  
PUBLIC COST**

- I. Department Title:** Title 13 - Department of Social Services  
**Division Title:** Division 70 - MO HealthNet Division  
**Chapter Title:** Chapter 10 - Nursing Home Program

<b>Rule Number and Name:</b>	13 CSR 70-10.016 Global Per Diem Adjustments to Nursing Facility and HIV Nursing Facility Reimbursement Rates
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services MO HealthNet Division	Estimated cost for SFY 2015: \$11,174,327

**III. WORKSHEET**

Description	Nursing Facility Rate Increase	Impact on Hospice for Services Provided in NF's	Total Impact
Estimated Paid Days: SFY 2015 x Rate Increase	8,342,844 \$1.25	626,699 \$1.19	
Total Estimated Impact: SFY 2015	\$10,428,555	\$745,772	\$11,174,327
State Share (36.905%)	\$3,848,658	\$275,227	\$4,123,885
Federal Share (63.095%)	\$6,579,897	\$470,545	\$7,050,442

**IV. ASSUMPTIONS**

**Estimated Paid Days:**

**Nursing Facility:**

The estimated paid days for SFY 2015 are based on the actual Medicaid days paid for nursing facility services during SFY 2013, increased by 0.5% for 2014 and an additional 0.5% for 2015.

**Hospice:**

The estimated paid days for SFY 2015 for hospice are based on the actual hospice days provided in nursing facilities from January 2013 through December 2013.

**Impact on Hospice:**

Hospice providers are reimbursed 95% of the nursing facility per diem for hospice participants residing in a nursing facility. The total increase to the nursing facility per diem is \$1.25. The increase to hospice reimbursement rates resulting from this amendment is \$1.19 (\$1.25 x 95%).

**Title 17—BOARDS OF POLICE COMMISSIONERS**  
**Division 10—Kansas City Board of Police Commissioners**  
**Chapter 2—Private Security**

**PROPOSED AMENDMENT**

**17 CSR 10-2.040 Application Forms and Licensing Fees.** The board is amending subsection (1)(T) and adding subsections (V) and (W).

*PURPOSE: This amendment adds to the schedule of licensing fees of the Board of Police Commissioners of Kansas City, Missouri (board), fees associated with rifle and shotgun qualification at the range and clarifies that the existing fee is for handgun qualification at the range and clarifies that the existing fee is for handgun qualification only; those wishing to qualify with shotguns and rifles must pay an additional fee.*

(1) The fees for licensing, renewing, transferring, etc., are as follows:

(T) Annual Range Fee ( <b>Handgun</b> Training and Qualification/Continuing Education)	\$ 85.00
(V) Annual Range Fee ( <b>Rifle Training and Qualification Continuing Education</b> )	<b>\$200.00</b>
(W) Annual Range Fee ( <b>Shotgun Training and Qualification/Continuing Education</b> )	<b>\$ 85.00</b>

*AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the **Code of State Regulations**. Amended: Filed July 11, 2014.*

*PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions fourteen thousand two hundred fifty dollars (\$14,250) in the aggregate.*

*PRIVATE COST: This proposed amendment will cost private entities nineteen thousand nine hundred fifty dollars (\$19,950) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Police Commissioners of Kansas City, Missouri, 635 Woodland, Suite 2104, Kansas City, MO 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE  
PUBLIC COST**

- I. Department Title: 17  
Division Title: 10  
Chapter Title: 2**

<b>Rule Number and Name:</b>	17 CSR 10-2.040 – Application Forms and Licensing Fees
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Kansas City International Airport Police	<b>\$14,250.00</b>

**III. WORKSHEET**

The amendment to this rule will allow officers of the Kansas City International Airport Police to carry both rifles and shotguns in addition to the handguns for which they are already licensed after successfully completing a training class. The fee for rifle training is \$200.00; the training fee for a shotgun is \$85.00.

The Kansas City International Airport Police currently licenses fifty (50) armed officers. The number of current licensees was multiplied by the corresponding fees charged in order to assess the fiscal impact to the current licensees.

The Kansas City International Airport Police will incur costs in the amount of two hundred eighty-five dollars (\$285.00) per each of its armed licenses (50) for a total fiscal impact of fourteen thousand two hundred fifty dollars (\$14,250.00).

**IV. ASSUMPTIONS**

This rule assumes that all fifty (50) officers will wish to be licensed to carry both shotguns and rifles. These figures also assume that the agencies pay the license fees for those they license, rather than the individual paying the fees themselves. Board keeps no records of how the various entities operate and how they pay their fees. Therefore, the actual cost to these entities cannot be assessed with certainty, and it must be assumed that for purposes of this fiscal note that the entities pay the entire fee.

**FISCAL NOTE  
PRIVATE COST**

- I. Department Title: 17**  
**Division Title: 10**  
**Chapter Title: 2**

<b>Rule Number and Title:</b>	17 CSR 10-2.040 – Application Forms and License Fees
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
<b>1</b>	<b>Armed Couriers</b>	<b>\$19,950.00</b>

**III. WORKSHEET**

The amendment to this rule will allow armed couriers employed by Brinks, a private company to carry both rifles and shotguns in addition to the handguns for which they are already licensed after successfully completing a training class. The fee for rifle training is \$200.00; the training fee for a shotgun is \$85.00.

Brinks currently licenses seventy (70) armed couriers. The number of current licensees was multiplied by the corresponding fees charged in order to assess the fiscal impact to the current licensees.

Brinks will incur costs in the amount of two hundred eighty-five dollars (\$285.00) per each of its armed licenses (70) for a total fiscal impact of nineteen thousand nine hundred fifty dollars (\$19,950.00).

**IV. ASSUMPTIONS**

This rule assumes that all seventy (70) armed couriers will wish to be licensed to carry both shotguns and rifles. These figures also assume that the company pays the license fees for those they license, rather than the individual paying the fees themselves. Board keeps no records of how the various entities operate and how they pay their fees. Therefore, the actual cost to these entities cannot be assessed with certainty, and it must be assumed that for purposes of this fiscal note that the entities pay the entire fee.



**Title 17—BOARDS OF POLICE COMMISSIONERS**  
**Division 10—Kansas City Board of Police Commissioners**  
**Chapter 2—Private Security**

**PROPOSED AMENDMENT**

**17 CSR 10-2.050 Testing Requirements and Qualification Standards.** The board is amending section (1) and subsection (1)(D).

*PURPOSE:* This amendment sets out the training requirements for those armed licensees wishing to carry a shotgun and/or rifle in addition to a handgun.

(1) All applicants for licensing shall successfully pass a written examination as presented by the department to potential licensees. A person failing to obtain a passing score as established by the board may be allowed to retake the written test three (3) times. An additional fee and a new Form 5409 P.D. is required each time the test is retaken. The test may not be taken more than one (1) time per day. An applicant shall have the right to review their test. The Private Officers Licensing Unit (POLU) may refuse to test any person if evidence exists that there is grounds for denial of the license. This excludes any person holding an active or inactive Peace Officer Standards and Training (POST) certification and all retired sworn members of the department. The board has established categories of testing that reflect the responsibilities and qualifications required for the type of license sought by the applicant. An information manual outlining the examination will be available from the POLU. It is the company's responsibility to provide training necessary to prepare the applicant to take and pass the board's written examination. In addition to obtaining the license as an armed licensee, the company must certify that the applicant or licensee has completed the required training and must present a completed Form 5715 P.D. at the time of application. The licensee must successfully qualify annually with their weapon. The qualification will be equivalent to that required for department police officers. In addition, any person holding an armed license shall requalify any time they change weapons. A licensee may only carry and qualify with one (1) *[weapon]* **handgun** per company unless specific authorization is obtained from POLU. As set out in 17 CSR 10-2.040(1), a fee will be charged anytime a weapon change is made.

(D) Each armed licensee will complete four (4) hours of **handgun** training at the Kansas City, Missouri Police Pistol Range (range) each year **and additional hours for rifle and/or shotgun training if the applicant wishes to carry one (1) or both of those weapons. The applicant will be required to complete both a rifle and a shotgun training class if they wish to carry both weapons and pay the fees associated with those training classes as provided in 17 CSR 10-2.040(1)(T), (V) and (W).** The curriculum will be set by the range staff. Each armed licensee may additionally be required to complete four (4) hours of classroom training every two (2) years. The curriculum will be set by the POLU. Each company representative who is authorized to sign and do business with the board as outlined on Form 5486 P.D. along with all those licensed in an unarmed capacity may be required to complete the four- (4-) hour classroom portion of the training every two (2) years. Each company representative and licensee will pay the training fees associated with these continuing education requirements as set out in 17 CSR 10-2.040(1).

*AUTHORITY:* section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the *Code of State Regulations*. Amended: Filed July 11, 2014.

*PUBLIC COST:* This proposed amendment will cost state agencies or political subdivisions fourteen thousand two hundred fifty dollars (\$14,250) in the aggregate.

*PRIVATE COST:* This proposed amendment will cost private entities nineteen thousand nine hundred fifty dollars (\$19,950) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Police Commissioners of Kansas City, Missouri, 635 Woodland, Suite 2104, Kansas City, MO 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**FISCAL NOTE  
PUBLIC COST**

- I. Department Title: 17**  
**Division Title: 10**  
**Chapter Title: 2**

<b>Rule Number and Name:</b>	17 CSR 10-2.050 – Testing Requirements and Qualification Standards
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Kansas City International Airport Police	<b>\$14,250.00</b>

**III. WORKSHEET**

The amendment to this rule will allow officers of the Kansas City International Airport Police to carry both rifles and shotguns in addition to the handguns for which they are already licensed after successfully completing a training class. The fee for rifle training is \$200.00; the training fee for a shotgun is \$85.00.

The Kansas City International Airport Police currently licenses fifty (50) armed officers. The number of current licensees was multiplied by the corresponding fees charged in order to assess the fiscal impact to the current licensees.

The Kansas City International Airport Police will incur costs in the amount of two hundred eighty-five dollars (\$285.00) per each of its armed licenses (50) for a total fiscal impact of fourteen thousand two hundred fifty dollars (\$14,250.00).

**IV. ASSUMPTIONS**

This rule assumes that all fifty (50) officers will wish to be licensed to carry both shotguns and rifles. These figures also assume that the agencies pay the license fees for those they license, rather than the individual paying the fees themselves. Board keeps no records of how the various entities operate and how they pay their fees. Therefore, the actual cost to these entities cannot be assessed with certainty, and it must be assumed that for purposes of this fiscal note that the entities pay the entire fee.

**FISCAL NOTE  
PRIVATE COST**

- I. Department Title: 17  
Division Title: 10  
Chapter Title: 2**

<b>Rule Number and Title:</b>	17 CSR 10-2.050 – Testing Requirements and Qualification Standards
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
1	Armed Couriers	\$19,950.00

**III. WORKSHEET**

The amendment to this rule will allow armed couriers employed by Brinks, a private company to carry both rifles and shotguns in addition to the handguns for which they are already licensed after successfully completing a training class. The fee for rifle training is \$200.00; the training fee for a shotgun is \$85.00.

Brinks currently licenses seventy (70) armed couriers. The number of current licensees was multiplied by the corresponding fees charged in order to assess the fiscal impact to the current licensees.

Brinks will incur costs in the amount of two hundred eighty-five dollars (\$285.00) per each of its armed licenses (70) for a total fiscal impact of nineteen thousand nine hundred fifty dollars (\$19,950.00).

**IV. ASSUMPTIONS**

This rule assumes that all seventy (70) armed couriers will wish to be licensed to carry both shotguns and rifles. These figures also assume that the company pays the license fees for those they license, rather than the individual paying the fees themselves. Board keeps no records of how the various entities operate and how they pay their fees. Therefore, the actual cost to these entities cannot be assessed with certainty, and it must be assumed that for purposes of this fiscal note that the entities pay the entire fee.

**Title 17—BOARDS OF POLICE COMMISSIONERS**  
**Division 10—Kansas City Board of Police Commissioners**  
**Chapter 2—Private Security**

**PROPOSED AMENDMENT**

**17 CSR 10-2.055 Weapons Regulations and Firearms Qualification.** The board is amending section (1), new section (5), new subsection (6)(B), adding sections (2) and (3), and renumbering as needed.

*PURPOSE: The purpose of this amendment is to set out the specifications on the rifles and shotguns that are approved to carry for those armed applicants who wish to carry those weapons in addition to their handguns, and clarifies the number of times a licensee may attempt to qualify in one (1) year.*

(1) A licensee is authorized to carry only *[firearms]* **handguns** in a strong side hip holster approved by the board and only if the licensee has qualified with that *[firearm]* **handgun** as set out herein. All licensees must have a completed Verification of Firearms Training Form (Form 5715 P.D.) before reporting to the Private Officers Licensing Unit (POLU). The *[firearms]* **handguns** approved by the board are as follows: .38 caliber, double action solid frame revolvers (five (5) or six (6) shot); and semi-automatics, double action only or double/single action, which are equipped with a decocker or decocker safety. This requirement limits the semi-automatics which may be carried to .40, .45, and 9mm calibers. Striker action *[firearms]* **handguns** are acceptable. The department shooting range supervisor or his/her designee may deny a licensee the opportunity to qualify if, in their discretion, they believe a person or a firearm does not meet the requirements set out herein or presents a danger to others.

(2) Licensees may carry patrol rifles under the following terms and conditions. The only approved rifle will be the Semi-automatic AR-15, .223/5.56 caliber firearm. The Patrol Rifle must meet the following requirements to be approved for use:

- (A) AR-15 type firearm that has forged upper and lower receivers. No cast or carbon fiber;
- (B) A 16" overall barrel length;
- (C) A factory-type trigger system. Light-weight match style triggers are not permitted on an approved personal rifle;
- (D) Iron sights, with a front tritium (night) sight (mandatory). Pop-up sights are also acceptable;
- (E) A minimum of 2, 30 round magazines or 3, 20 round magazines;
- (F) A mountable light source (minimum of 80-90 lumens);
- (G) A sling (1, 2 or 3 point styles are required);
- (H) Armed licensees carrying a Patrol Rifle will only carry U.S. made factory loaded 55 grain soft point ammunition in the weapon. (Hollow point and full metal jacket ammunition are forbidden.)

(3) Licensees may carry patrol shotguns under the following conditions. The Patrol Shotgun must meet the following requirements to be approved for use:

- (A) 12 gauge pump action shotgun;
- (B) Minimum 18.5" barrel, maximum of 20" (no rifled barrels, no ported barrels);
- (C) Minimum 4 round magazine capacity;
- (D) Must have a sling (1, 2 or 3 point) attached to the weapon;
- (E) Metallic sights only (no scopes, red dots or other optics);
- (F) Subdued finish, blued, parkerized, matte finish;
- (G) Stock trigger/safety systems, no aftermarket trigger systems or safeties;
- (H) No muzzle brake/compensators/hold off devices allowed;
- (I) No barrel shrouds allowed;
- (J) No knives or bayonets or bayonet attachments allowed;
- (K) Extended magazine tubes will be allowed, but must not

extend more than 1" past the muzzle;

(L) Armed licensees carrying a Patrol Shotgun will only carry U.S. made factory loaded 12 gauge slug or U.S. made factory loaded 12 gauge buckshot (#4 buckshot, #1 buckshot or 00 buckshot) ammunition in the weapon.

*[(2)](4)* All applicants seeking licensure for positions for which firearms may be possessed must qualify annually with the firearm(s) on the department pistol range and under the supervision of the department's firearms instructors. The firearms qualifications standards shall be in accordance with those established by department for its officers.

*[(3)](5)* An applicant must display the ability to safely and properly handle his/her approved firearm(s).

*[(4)](6)* An applicant who is determined by the range instructor to be unqualified or incapable of handling a firearm shall not be licensed.

(A) Any applicant who displays an inability to handle a firearm safely and properly will be disqualified from carrying a firearm.

(B) An applicant who does not attain the minimum scores for qualification shall be given a maximum of two- (2-) additional opportunities to qualify. An additional fee and new Form 5409 P.D. is required for each additional qualification and will be scheduled by the POLU. **If the applicant fails to qualify after two- (2-) additional attempts, the applicant will not be allowed to attempt to qualify for one- (1-) year from the date of the last failure.**

*[(5)](7)* In addition to the applicant successfully passing an approved firearms qualification test, the applicant or his/her employer must satisfy the physical certification requirements for a Class A license as established herein.

*[(6)](8)* Licensees holding an armed license may wear their approved firearm with their uniform, unless classified as a nonuniformed proprietary private investigator, while at work and while traveling directly to and from work.

*[(7)](9)* Those licensed as private security and proprietary private investigators must comply with city ordinance and state law which prohibits carrying a firearm or other weapon readily capable of lethal use into any building owned or occupied by any agency of the state government. This includes the POLU and any other office within the building or any other building occupied by the department.

*AUTHORITY: section 84.720, RSMo 2000. Original rule filed May 28, 1993, effective Jan. 31, 1994. Rescinded and readopted: Filed Dec. 15, 1999, effective Aug. 30, 2000. Rescinded and readopted: Filed March 14, 2013, effective Aug. 30, 2013. Amended: Filed July 11, 2014.*

*PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions fourteen thousand two hundred fifty dollars (\$14,250) in the aggregate.*

*PRIVATE COST: This proposed amendment will cost private entities nineteen thousand nine hundred fifty dollars (\$19,950) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Police Commissioners of Kansas City, Missouri, 635 Woodland, Suite 2104, Kansas City, MO 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**FISCAL NOTE  
PUBLIC COST**

- I. Department Title: 17  
Division Title: 10  
Chapter Title: 2**

<b>Rule Number and Name:</b>	17 CSR 10-2.055 – Weapons Regulations and Firearms Qualification
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Kansas City International Airport Police	<b>\$14,250.00</b>

**III. WORKSHEET**

The amendment to this rule will allow officers of the Kansas City International Airport Police to carry both rifles and shotguns in addition to the handguns for which they are already licensed after successfully completing a training class. The fee for rifle training is \$200.00; the training fee for a shotgun is \$85.00.

The Kansas City International Airport Police currently licenses fifty (50) armed officers. The number of current licensees was multiplied by the corresponding fees charged in order to assess the fiscal impact to the current licensees.

The Kansas City International Airport Police will incur costs in the amount of two hundred eighty-five dollars (\$285.00) per each of its armed licenses (50) for a total fiscal impact of fourteen thousand two hundred fifty dollars (\$14,250.00).

**IV. ASSUMPTIONS**

This rule assumes that all fifty (50) officers will wish to be licensed to carry both shotguns and rifles. These figures also assume that the agencies pay the license fees for those they license, rather than the individual paying the fees themselves. Board keeps no records of how the various entities operate and how they pay their fees. Therefore, the actual cost to these entities cannot be assessed with certainty, and it must be assumed that for purposes of this fiscal note that the entities pay the entire fee.

**FISCAL NOTE  
PRIVATE COST**

- I. Department Title: 17**  
**Division Title: 10**  
**Chapter Title: 2**

<b>Rule Number and Title:</b>	17 CSR 10-2.055 – Weapons Regulations and Firearms Qualification
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
<b>1</b>	<b>Armed Couriers</b>	<b>\$19,950.00</b>

**III. WORKSHEET**

The amendment to this rule will allow armed couriers employed by Brinks, a private company to carry both rifles and shotguns in addition to the handguns for which they are already licensed after successfully completing a training class. The fee for rifle training is \$200.00; the training fee for a shotgun is \$85.00.

Brinks currently licenses seventy (70) armed couriers. The number of current licensees was multiplied by the corresponding fees charged in order to assess the fiscal impact to the current licensees.

Brinks will incur costs in the amount of two hundred eighty-five dollars (\$285.00) per each of its armed licenses (70) for a total fiscal impact of nineteen thousand nine hundred fifty dollars (\$19,950.00).

**IV. ASSUMPTIONS**

This rule assumes that all seventy (70) armed couriers will wish to be licensed to carry both shotguns and rifles. These figures also assume that the company pays the license fees for those they license, rather than the individual paying the fees themselves. Board keeps no records of how the various entities operate and how they pay their fees. Therefore, the actual cost to these entities cannot be assessed with certainty, and it must be assumed that for purposes of this fiscal note that the entities pay the entire fee.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2110—Missouri Dental Board  
Chapter 2—General Rules**

**PROPOSED AMENDMENT**

**20 CSR 2110-2.170 Fees.** The board is proposing to amend subsection (1)(C).

*PURPOSE: The Missouri Dental Board is statutorily obligated to enforce and administer the provisions of Chapter 332, RSMo. Pursuant to section 332.031, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 332, RSMo, so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of Chapter 332, RSMo.*

(1) The following fees are established by the Missouri Dental Board:

(C) Biennial License Renewal Fee

- |                              |                                 |
|------------------------------|---------------------------------|
| 1. Dentist License           | <del>[\$220]</del> <b>\$180</b> |
| 2. Dental Specialist License | <del>[\$220]</del> <b>\$180</b> |
| 3. Dental Hygienist License  | <del>[\$100]</del> <b>\$ 60</b> |
| 4. Limited Teaching License  | <b>\$250</b>                    |

*AUTHORITY: section 332.031[.3.], RSMo 2000. This rule originally filed as 4 CSR 110-2.170. Emergency rule filed June 30, 1981, effective July 9, 1981, expired Nov. 6, 1981. Original rule filed June 30, 1981, effective Oct. 11, 1981. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed July 8, 2014, effective July 18, 2014, expires Feb. 26, 2015. Amended: Filed July 8, 2014.*

*PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions approximately three hundred six thousand four hundred eighty dollars (\$306,480) biennially for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.*

*PRIVATE COST: This proposed amendment will save private entities approximately three hundred six thousand four hundred eighty dollars (\$306,480) biennially for the life of the rule. It is anticipated that the savings will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Dental Board, PO Box 1367, Jefferson City, MO 65102, by facsimile at (573) 751-8216, or via email at dental@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

## PUBLIC FISCAL NOTE

## I. RULE NUMBER

**Title 20 -Department of Insurance, Financial Institutions and Professional Registration****Division 2110 - Missouri Dental Board****Chapter 2 - General Rules****Proposed Amendment to 20 CSR 2110-2.170 - Fees**

Prepared June 19, 2014 by the Division of Professional Registration

## II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Loss of Revenue	
Missouri Dental Board		\$306,480
	Total Loss of Revenue Biennially for the Life of the Rule	\$306,480

## III. WORKSHEET

See Private Entity Fiscal Note

## IV. ASSUMPTION

1. The total loss of revenue is based on the cost savings to private entities reflected in the Private Fiscal Note filed with this rule.
2. The board utilizes a rolling five-year financial analysis process to evaluate its fund balance, establish fee structure, and assess budgetary needs. The five-year analysis is based on the projected revenue, expenses, and number of licensees. Based on the board's recent five-year analysis, the board voted on a reduction in individual biennial renewal fees for dentist, dental specialist and dental hygienist.
3. The above figures are based on FY 2014 actuals.



**PRIVATE FISCAL NOTE**

**I. RULE NUMBER**

**Title 20 -Department of Insurance, Financial Institutions and Professional Registration**  
**Division 2110 - Missouri Dental Board**  
**Chapter 2 - General Rules**  
**Proposed Amendment to 20 CSR 2110-2.170 - Fees**  
Prepared June 19, 2014 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated savings for the life of the rule by affected entities:
3,299	Biennial Renewal Fee (Dentist) (Renewal Fee Decrease @ \$40)	\$131,960
672	Biennial Renewal Fee (Dental Specialist) (Renewal Fee Decrease @ \$40)	\$26,880
3,691	Biennial Renewal Fee (Dental Hygienist) (Renewal Fee Decrease @ \$40)	\$147,640
Estimated Biennial Savings for the Life of the Rule		\$306,480

**III. WORKSHEET**

See Table Above

**IV. ASSUMPTION**

1. The above figures are based on FY 2014 actuals.
2. Individual dentist, dental specialist and dental hygienist renew biennially. This fiscal note shows the number expected to renew biennially.
3. It is anticipated that the total fiscal savings will occur beginning in FY2015, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2205—Missouri Board of Occupational Therapy  
Chapter 1—General Rules**

*thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**PROPOSED AMENDMENT**

**20 CSR 2205-1.050 Fees.** The board is proposing to amend subsections (1)(A), (B), (C), (D), and (E).

*PURPOSE: The Division of Professional Registration and the Missouri Board of Occupational Therapy are statutorily obligated to enforce and administer the provisions of Chapter 324, RSMo. Pursuant to section 324.074, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 324 so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 324.050 to 324.089, RSMo.*

(1) The Division of Professional Registration establishes the following fees which are nonrefundable:

- |  |                                     |
|--|-------------------------------------|
| (A) Application for Licensure as an Occupational Therapist Fee             | <del>[\$55.00]</del> <b>\$45.00</b> |
| (B) Application for Licensure as an Occupational Therapy Assistant Fee     | <del>[\$30.00]</del> <b>\$20.00</b> |
| (C) Application for Limited Permit Fee                                     | <del>[\$15.00]</del> <b>\$10.00</b> |
| (D) Biennial Occupational Therapist License Renewal Fee                    | <del>[\$55.00]</del> <b>\$35.00</b> |
| 1. Effective April 1, 2013, to March 30, 2015, for the 2013 renewal period | \$30.00                             |
| 2. Effective April 1, 2015, beginning with the 2015 renewal period         | \$55.00]                            |
| (E) Biennial Occupational Therapy Assistant License Renewal Fee            | <del>[\$30.00]</del> <b>\$10.00</b> |
| 1. Effective April 1, 2013, to March 30, 2015, for the 2013 renewal period | \$25.00                             |
| 2. Effective April 1, 2015, beginning with the 2015 renewal period         | \$30.00]                            |

*AUTHORITY: section 324.074, RSMo 2000, and sections 324.065 and 324.068, RSMo Supp. [2011] 2013. This rule originally filed as 4 CSR 205-1.050. Original rule filed Aug. 4, 1998, effective Dec. 30, 1998. For intervening history, please consult the Code of State Regulations. Amended: Filed July 8, 2014.*

*PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions approximately seventy-four thousand dollars (\$74,000) biennially for the life of the rule and five thousand nine hundred dollars (\$5,900) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.*

*PRIVATE COST: This proposed amendment will save private entities approximately seventy-four thousand dollars (\$74,000) biennially for the life of the rule and five thousand nine hundred dollars (\$5,900) annually for the life of the rule. It is anticipated that the savings will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Occupational Therapy, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 526-3489, or via email at ot@pr.mo.gov. To be considered, comments must be received within*

**PUBLIC FISCAL NOTE**

**I. RULE NUMBER**

**Title 20 -Department of Insurance, Financial Institutions and Professional Registration**

**Division 2205 - Missouri Board of Occupational Therapy**

**Chapter 1 - General Rules**

**Proposed Amendment to 20 CSR 2205-1.050 - Fees**

Prepared May 13, 2014 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Loss of Revenue	
Missouri Board of Occupational Therapy	\$74,000	
	Total Loss of Revenue Biennially for the Life of the Rule	\$74,000

Affected Agency or Political Subdivision	Estimated Loss of Revenue	
Missouri Board of Occupational Therapy	\$5,900	
	Total Loss of Revenue Annually for the Life of the Rule	\$5,900

**III. WORKSHEET**

See Private Entity Fiscal Note

**IV. ASSUMPTION**

1. The total loss of revenue is based on the cost savings to private entities reflected in the Private Fiscal Note filed with this rule.
2. The board utilizes a rolling five-year financial analysis process to evaluate its fund balance, establish fee structure, and assess budgetary needs. The five-year analysis is based on the projected revenue, expenses, and number of licensees. Based on the board's recent five-year analysis, the board voted on a reduction in individual biennial renewal fees for dentist, dental specialist and dental hygienist.
3. The above figures are based on FY 2014 actuals.

## PRIVATE FISCAL NOTE

## I. RULE NUMBER

**Title 20 -Department of Insurance, Financial Institutions and Professional Registration****Division 2205 - Missouri Board of Occupational Therapy****Chapter 1 - General Rules****Proposed Amendment to 20 CSR 2205-1.050 - Fees**

Prepared May 13, 2014 by the Division of Professional Registration

## II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated savings for the life of the rule by affected entities:
2,700	Biennial Renewal License Fee (Occupational Therapist) (Renewal Fee Decrease @ \$20)	\$54,000
1,000	Biennial Renewal License Fee (OT Assistant) (Renewal Fee Decrease @ \$20)	\$20,000
	<b>Estimated Biennial Savings for the Life of the Rule</b>	<b>\$74,000</b>

250	Application Fee (Occupational Therapist) (Fee Decrease @ \$10)	\$2,500
215	Application Fee (Occupational Therapist Assistants) (Fee Decrease @ \$10)	\$2,150
250	Application Fee (Limited Permit) (Fee Decrease @ \$5)	\$1,250
	<b>Estimated Annual Savings for the Life of the Rule</b>	<b>\$5,900</b>

## III. WORKSHEET

See Table Above

## IV. ASSUMPTION

1. The above figures are based on FY 2014 actuals.
2. Individual occupational therapist and occupational therapist assistants renew biennially. This fiscal note shows the number expected to renew biennially.
3. It is anticipated that the total fiscal savings will occur beginning in FY2015, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2220—State Board of Pharmacy  
Chapter 4—Fees Charged by the Board of Pharmacy**

**PROPOSED AMENDMENT**

**20 CSR 2220-4.010 General Fees.** The Board of Pharmacy is proposing to add section (4).

*PURPOSE: The Board of Pharmacy is statutorily obligated to enforce and administer the provisions of Chapter 338, RSMo, governing the practice of pharmacy. Pursuant to section 338.070, RSMo, the board shall set the appropriate amount of fees by rule, so that the revenue produced shall not substantially exceed the cost and expense of administering the provisions of Chapter 338, RSMo. Based on the board's five- (5-) year projections, the board is proposing a one- (1-) time reduction of the biennial renewal fees for pharmacists, intern pharmacists, and annual renewal fees for pharmacy technicians.*

**(4) To ensure compliance with section 338.070, RSMo, the following renewal fees shall be effective from July 1, 2014 to June 30, 2015:**

<b>(A) Pharmacist License Renewal Fee</b>	<b>\$50</b>
<b>(B) Intern Pharmacist License Renewal Fee</b>	<b>\$20</b>
<b>(C) Pharmacy Technician Annual Renewal Fee</b>	<b>\$20</b>

*AUTHORITY: sections 338.020, 338.035, 338.040, 338.060, 338.070, 338.185, 338.230, 338.270, 338.280, and 338.350, RSMo 2000, and sections 338.140, 338.220, and 338.335, RSMo Supp. [2012] 2013. This rule originally filed as 4 CSR 220-4.010. Emergency rule filed July 15, 1981, effective Aug. 3, 1981, expired Nov. 11, 1981. Original rule filed Aug. 10, 1981, effective Nov. 12, 1981. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed July 8, 2014, effective July 18, 2014, expires Feb. 26, 2015. Amended: Filed July 8, 2014.*

*PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions approximately \$1,771,500 in the aggregate. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.*

*PRIVATE COST: This proposed amendment will save private entities approximately \$1,771,500 in the aggregate. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at [pharmacy@pr.mo.gov](mailto:pharmacy@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this rule in the **Missouri Register**. No public hearing is scheduled.*

**PUBLIC FISCAL NOTE****I. RULE NUMBER****Title 20 -Department of Insurance, Financial Institutions and Professional Registration****Division 2220- State Board of Pharmacy****Chapter 4 - Fees Charged by the Board of Pharmacy****Proposed Amendment to 20 CSR 2220-4.010 - General Fees****Prepared March 18, 2014 by the Division of Professional Registration****II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Loss of Revenue	
State Board of Pharmacy		(\$1,771,500)
	Estimated Revenue Loss for FY2013 Renewal Period	(\$1,771,500)

**III. WORKSHEET**

See Private Entity Fiscal Note

**IV. ASSUMPTION**

1. The total loss of revenue is based on the cost savings to private entities reflected in the Private Fiscal Note filed with this rule.
2. The board utilizes a rolling five year financial analysis process to evaluate its fund balance, establish fee structure, and assess budgetary needs. The five year analysis is based on the projected revenue, expenses, and number of licensees. Based on the board's recent five year analysis, the board voted on a one-time one hundred fifty dollar (\$150) reduction in the biennial pharmacist license renewal fee, a one-time sixty dollar (\$60) reduction in the biennial intern pharmacist license renewal fee, and a one-time fifteen dollar (\$15) reduction in the annual technician registration renewal fee.
3. The estimated licensing counts were based on FY 2012 and FY 2013 actual licensee counts. Based on the Board's licensing history, the Board does not anticipate 100% renewal of all current licensees. Accordingly, FY 2012 and FY13 licensee counts have been adjusted to account for a limited number of estimated non-renewals.
4. Estimated decreased revenue may be lower based on actual renewal applications received.

**PRIVATE FISCAL NOTE**

**I. RULE NUMBER**

**Title 20 -Department of Insurance, Financial Institutions and Professional Registration**

**Division 2220 - State Board of Pharmacy**

**Chapter 4 - Fees Charged by the Board of Pharmacy**

**Proposed Amendment to 20 CSR 2220-4.010 - General Fees**

Prepared March 18, 2014 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
9,200	Biennial Renewal Fee - Pharmacists (Renewal Fee Decrease @ \$150)	\$1,380,000
1,650	Biennial Renewal Fee - Intern Pharmacists (Renewal Fee Decrease @ \$60)	\$99,000
19,500	Renewal Fee - Technician Registration (Renewal Fee Decrease @ \$15)	\$292,500
	<b>Estimated Savings for the FY 2015 Biennial Renewal</b>	<b>\$1,771,500</b>

**III. WORKSHEET**

See Table Above

**IV. ASSUMPTION**

1. The estimated licensing counts were based on FY 2012 and FY 2013 actual licensee counts. Based on the board's licensing history, the board does not anticipate 100% renewal of all current licensees. Accordingly, FY 2012 and FY13 licensee counts have been adjusted to account for a limited number of estimated non-renewals.
2. Individual pharmacists and intern pharmacist renew biennially. This fiscal note shows the number expected to renew biennially. Technicians renew annually.
3. Estimated decreased revenue may be lower based on actual renewal applications received.

**T**his section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

**T**he agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 7—Wildlife Code: Hunting: Seasons, Methods,  
Limits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-7.440 is amended.

This rule establishes hunting seasons and limits and is exempted by section 536.021, RSMo, from the requirement for filing as a proposed amendment.

The Department of Conservation amended 3 CSR 10-7.440 by establishing seasons and limits for hunting migratory game birds and waterfowl.

**3 CSR 10-7.440 Migratory Game Birds and Waterfowl: Seasons, Limits**

(3) Seasons and limits are as follows:

(B) Sora and Virginia rails may be taken from one-half (1/2) hour before sunrise to sunset from September 1 through November 9. Limits: twenty-five (25) rails daily in the aggregate; seventy-five (75) in possession;

(E) Blue-winged, green-winged, and cinnamon teal may be taken from sunrise to sunset from September 6 through September 21. Limits: six (6) teal in the aggregate of species daily; eighteen (18) in possession;

**SUMMARY OF PUBLIC COMMENTS:** Seasons and limits are exempted from the requirement of filing as a proposed amendment under section 536.021, RSMo.

This amendment was filed July 14, 2014, becomes effective **August 1, 2014**.

**Title 7—DEPARTMENT OF TRANSPORTATION  
Division 10—Missouri Highways and Transportation  
Commission  
Chapter 1—Organization; General Provisions**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Highways and Transportation Commission under section 536.023, RSMo Supp. 2013, the commission rescinds a rule as follows:

**7 CSR 10-1.010 Description, Organization, and Information  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on March 17, 2014 (39 MoReg 729). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION  
Division 10—Missouri Highways and Transportation  
Commission  
Chapter 1—Organization; General Provisions**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Highways and Transportation Commission under section 536.023, RSMo Supp. 2013, the commission adopts a rule as follows:

**7 CSR 10-1.010 Description, Organization, and Information  
is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 17, 2014 (39 MoReg 729-732). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES  
Division 10—Air Conservation Commission  
Chapter 6—Air Quality Standards, Definitions, Sampling  
and Reference Methods and Air Pollution Control  
Regulations for the Entire State of Missouri**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2013, the commission amends a rule as follows:



**10 CSR 10-6.165 Restriction of Emission of Odors is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 17, 2014 (39 MoReg 732). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received no comments on the proposed amendment.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 1—Organization and Administration**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2013, the commission amends a rule as follows:

**11 CSR 45-1.090 Definitions is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 3, 2014 (39 MoReg 651-652). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on April 9, 2014. No one commented at the public hearing. No written comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 4—Licenses**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2013, the commission amends a rule as follows:

**11 CSR 45-4.230 is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 3, 2014 (39 MoReg 652-656). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on April 9, 2014. No comments were received at the public hearing. Bally Technologies (hereafter "Bally") submitted five (5) written comments.

The following written comments were made by Bally Technologies:  
COMMENT #1: Regarding 11 CSR 45-4.230(4)(A)14., Bally notes that adding Minimum Internal Control Standards (MICS) as a criteria for testing increases lab time and corresponding costs. Additionally, MGC has in specific instances already applied MICS conformance as a technical responsibility, such as in assessing its reel strip test (MICS Chapter E §4.01). Bally believes that any MICS

requirements should be specific to each component of a gaming device and incorporated only when critical to the integrity of the testing. This addition will require another layer of evaluation not previously included for any Missouri product submission. This will increase both the time it takes for the independent testing laboratory (ITL) to complete its evaluation and the cost to the manufacturer to get the product certified. Because there is minimal precedent for MICS testing, it is difficult to estimate these cost increases.

RESPONSE: The ITL test scripts already contain tests for MICS. Therefore, no additional costs should be associated with this portion of the rule. The example given for the reel strip test is included in the current test scripts of both ITLs. The MICS contain functional and operational requirements for products to be used in Missouri casinos, thus they are required to be tested by the ITLs. No changes have been made as a result of this comment.

COMMENT #2: For 11 CSR 45-4.230(4)(Q), Bally noted that many ITLs bill according to products tested, rather than by jurisdiction. This may require a significant change to the ITL billing processes and criteria, which will translate into additional fiscal impact. Additionally, it is unclear whether this requirement intends to include invoices for other jurisdictions. Such a requirement may place the ITL at risk in other jurisdictions and may result in very difficult confidentiality requirements from all involved parties. Bally suggests the following change to this proposed regulation, at a minimum: "The ITL shall, upon request, provide the commission a summary report of all invoices for services rendered in relation to the Missouri jurisdiction to licensees, manufacturers, entities or individuals. The report shall include for each submission the item submitted—"

RESPONSE: The commission cannot agree to limit our statutory ability as a regulator. To add the suggested change would be contrary to 11 CSR 45-4.230(4)(R). No changes have been made as a result of this comment.

COMMENT #3: Regarding 11 CSR 45-4.230(4)(CC), Bally does not believe that a blanket prohibition on allowing the ITLs to consult with manufacturers on new games and game designs is in the best interest of advancing technology. It is a common industry practice, not only in gaming but in other regulated environments, that vendors request testing entities to provide guidance and comment on new product designs with respect to the standards of various jurisdictions, and the gaming industry is no different. This proposed regulation, on its face, appears to prohibit that practice, and Bally recommends that this proposal be removed from the final regulations.

RESPONSE AND EXPLANATION OF CHANGE: Subsection (4)(CC) was revised to clarify that the regulation does not prohibit consultation for regulatory compliance.

COMMENT #4: For 11 CSR 45-4.230(4)(HH), Bally asked the MGC to define "testing deficiency" as that term relates to subsection (4)(HH) and similar regulations in this proposal. Bally questioned whether the MGC's expectation that a testing deficiency should include features that, while not impacting the critical functions or regulatory compliance of the hardware or software, are not operating as described (e.g., a username field that is supposed to accept fourteen (14) characters, but only accepts ten (10) in test)? Or whether it is intended to only address deficiencies related to critical function or regulatory compliance? Bally suggested substituting "regulatory compliance risk" for "testing deficiency."

RESPONSE AND EXPLANATION OF CHANGE: Subsection (4)(HH) was revised to clarify the meaning of "testing deficiency."

COMMENT #5: 11 CSR 45-4.230 private cost is shown at two thousand three hundred forty dollars (\$2,340). Bally suggested that the cost estimate was very low, as it appears that there are no statutory limits to requests that the MGC can make of the ITL at no cost, with such cost to be passed on to licensees and manufacturers.

RESPONSE: This estimated cost was provided by the ITLs and is a

one (1)-time cost required by 11 CSR 45-4.230(4)(J). No changes have been made as a result of this comment.

#### 11 CSR 45-4.230 Supplier's License Criteria

(4) An independent testing laboratory (ITL) applying for or currently holding a supplier license is subject to compliance with all other requirements of this rule in addition to the following criteria:

(CC) Other than to perform evaluation for regulatory compliance, ITLs shall not participate, consult, or otherwise be involved in the design, development, programming, or manufacturing of any game, gaming equipment, cashless wagering system or any component thereof, or online monitoring system or any component thereof or modification thereto;

(HH) The ITL shall report to the commission, within forty-eight (48) hours, any known ITL test script deficiency or failure to properly perform testing against any Missouri standard that has been identified for any hardware or software that is currently certified for the Missouri jurisdiction. The ITL shall perform an investigation and report the findings to the commission within seven (7) days of the ITL being apprised of the deficiency.

### Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 5—Conduct of Gaming

#### ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2013, the commission amends a rule as follows:

11 CSR 45-5.190 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 3, 2014 (39 MoReg 657-658). The section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** A public hearing was held on this proposed amendment on April 9, 2014. One (1) comment was received at the public hearing. Bally Technologies (hereafter "Bally") submitted one (1) written comment.

The following comments were made by Bally Technologies:

**COMMENT #1:** Regarding 11 CSR 45-5.190(1), Bally stated that the number of handle pulls and a stated confidence interval must go hand in hand. Bally noted that in the proposed language "within the first" is changed to "for" since "within the first" could be construed to mean "at any point prior to," which is not the intent. Also "and thereafter" is removed, since the nature of the confidence interval statistic is such that if it meets the standard for ten (10) million handle pulls, it will meet the standard for any number of handle pulls greater than ten (10) million. Accordingly, Bally proposes the following changes to this proposed regulation: "Electronic gaming devices shall not be programmed to pay out less than eighty percent (80%) of all wagers, including bonus games for ten (10) million handle pulls using the volatility index (VI) specified in 11 CSR 45-5.193(1)(A). The minimum payout percentage requirement shall be met regardless of the amount wagered per game."

**COMMENT #2:** Derek Smith, Senior Technical Manager, Bally Product Compliance, reiterated the comment regarding this proposal during the public hearing and asked that a reference to the ninety-five percent (95%) confidence level be included in the rule.

**RESPONSE AND EXPLANATION OF CHANGE:** Due to these comments the language in section (1) has been revised.

#### 11 CSR 45-5.190 Minimum Standards for Electronic Gaming Devices

(1) Electronic gaming devices shall not be programmed to pay out less than eighty percent (80%) of all wagers, including bonus games, for ten (10) million handle pulls using the volatility index calculated at a ninety-five percent (95%) confidence level. The minimum payout percentage requirement shall be met regardless of the amount wagered per game.

### Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 5—Conduct of Gaming

#### ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2013, the commission adopts a rule as follows:

11 CSR 45-5.225 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 3, 2014 (39 MoReg 658-659). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** A public hearing was held on this proposed rule on April 9, 2014. No one commented at the public hearing. Bally Technologies (hereafter "Bally") submitted five (5) written comments.

The following comments were made by Bally Technologies:

**COMMENT #1:** 11 CSR 45-5.225(3)—Bally believes that the phrase "not actively in service" should be expanded and/or clarified, as the start of the provisions already states that "all existing certifications from independent testing laboratories will be considered valid." Bally asked whether there is a temporal limitation for how long a game will have to have been in Missouri for a game last placed in Missouri before September 30, 2014, to meet this proposed regulation requirement? Bally also asked that the following issues arising from this proposed regulation be addressed and considered:

1. If an already-approved (and grandfathered) game is removed from the floor, does an operator need the commission's review/approval to put that game back onto the floor after September 30, 2014?

2. Does shutting down a machine for relocation on the floor constitute taking the game "out of service"?

**RESPONSE AND EXPLANATION OF CHANGE:** After discussion, the staff removed a portion of the first sentence and added language to clarify the regulation. Only electronic gaming devices (EGDs) attached to the slot accounting system (SAS) and on the gaming floors in Missouri on September 30, 2014, will be in an approved status. Any products in storage which are subsequently brought to the gaming floor which were previously certified but were not on the casino floor would require MGC approval. The answer to the first question is yes, and the answer to the second question is no.

**COMMENT #2:** Bally submitted the following example scenarios for clarification of 11 CSR 45-5.225(3). Bally requests clarification of the term "actively in service." Some related questions are—

1. If a licensee has one (1) electronic gaming machine (EGM) on the floor, and four (4) additional of the same EGM in storage, can the licensee add/remove the additional four (4) to/from the floor based on the active status of the one (1) EGM?

2. If Licensee X has one (1) EGM on the floor, and Licensee Y has four (4) of that same EGM in storage, can Licensee Y add/remove

their four (4) EGMs to/from the floor based on the active status of the one (1) EGM at Licensee X? Similarly to question #2, if Licensee X is actively using a version of a SAS, can Licensee Y change/upgrade to that SAS version based on Licensee X's active status?

RESPONSE: The answer to each of these questions is yes. No changes were made as a result of this comment.

COMMENT #3: Bally noted language now in 11 CSR 45-5.225(4)(C) eliminated the "penalty of perjury" and "best of their knowledge" qualifiers (that were included in an earlier draft of the proposed regulation), though it is reasonable to assume that the penalty of perjury risk still remains despite removal of the specific language. As relates to this change, Bally respectfully submits the following requests to the MGC:

1. Please explain the goal of this change.

2. Please consider reinstating the previous text, or at a minimum reinserting "to the best of their knowledge" qualifier standard.

RESPONSE: MGC does not find it necessary to make the statement "under penalty of perjury," but we do believe it is necessary for the licensee to make an affirmative representation that the product meets all regulatory requirements. No change was made as a result of this comment.

COMMENT #4: Bally noted that the required field trial period imposed by 11 CSR 45-5.225(5) is twice that of many other jurisdictions, including Nevada. Bally recommends "thirty (30) calendar days" for the minimum requirement.

RESPONSE AND EXPLANATION OF CHANGE: Staff agreed with this recommendation and made the requested change.

COMMENT #5: With regard to the private cost estimate for 11 CSR 45-5.225, Bally noted that the cost of testing is expensive and that the proposed regulations allow for no charge testing by the independent testing laboratory (ITL) and seek to impose Minimum Internal Control Standards (MICS) testing as well. Bally stated that this cost estimate seems low in light of the complexity and scope being asked of the ITL.

RESPONSE: The private entity cost estimates submitted from fourteen (14) different manufacturers were all related to product submittal and approval, not ITL certification. No change was made as a result of this comment.

#### **11 CSR 45-5.225 Request for Gaming Devices and Associated Equipment Approval**

(3) Effective September 30, 2014, gaming equipment and slot accounting systems actively in service at Class B licensees' facilities will remain in an approved status. Supplier, Class A, or Class B licensees must notify the commission prior to placing any gaming equipment or slot accounting system into service which has been previously certified by an ITL, but was not actively in service in Missouri on September 30, 2014, to be reviewed for approval by the commission. The commission will issue approval for such request, provided such gaming equipment or slot accounting system does not contain any known malfunctions or anomalies.

(5) The commission may make a preliminary, nonbinding determination whether any new gaming equipment or slot accounting system meets the Missouri rules, regulations, and statutes. At the commission's sole discretion, the commission may require any new gaming equipment or slot accounting system to be tested in a field trial environment(s) at a licensed gaming establishment(s). Each field trial shall be conducted for at least thirty (30) calendar days and no more than one hundred eighty (180) calendar days under terms and conditions that the commission may approve or require. The supplier shall submit a report to the commission every thirty (30) days detailing the performance of the product being tested, exception reports outlining any exception codes triggered, a list of customer complaints and inquiries

regarding the performance, and other items as determined by the commission. A field trial may be terminated at any time, in which case the new gaming equipment or slot accounting system will not be approved as a result of such field trial.

#### **Title 13—DEPARTMENT OF SOCIAL SERVICES Division 70—MO HealthNet Division Chapter 2—General Scope of Medical Service Coverage**

##### **ORDER OF RULEMAKING**

By the authority vested in the MO HealthNet Division under sections 208.153 and 208.201, RSMo Supp. 2013, the division amends a rule as follows:

#### **13 CSR 70-2.200 MO HealthNet Program Benefits for Human Organ and Bone Marrow/Stem Cell Transplants and Related Medical Services is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2014 (39 MoReg 856-858). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

#### **Title 13—DEPARTMENT OF SOCIAL SERVICES Division 70—MO HealthNet Division Chapter 3—Conditions of Provider Participation, Reimbursement and Procedure of General Applicability**

##### **ORDER OF RULEMAKING**

By the authority vested in the MO HealthNet Division under sections 208.153 and 208.201, RSMo Supp. 2013, the division adopts a rule as follows:

#### **13 CSR 70-3.250 Payment Policy for Early Elective Delivery is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 15, 2014 (39 MoReg 858-860). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

#### **Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 10—Office of the Director Chapter 33—Hospital and Ambulatory Surgical Center Data Disclosure**

##### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Department of Health and Senior Services under section 192.667, RSMo Supp. 2013, the department withdraws a proposed rescission as follows:

**19 CSR 10-33.010** Reporting Patient Abstract Data by Hospitals  
and Ambulatory Surgical Centers **is withdrawn.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on March 17, 2014 (39 MoReg 732-733). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received several comments on this proposed rescission. Multiple comments expressed concern regarding the federal ICD-10 implementation delay from October 1, 2014, to at least October 1, 2015. The exact implementation date is unknown at this time.

RESPONSE: As a result, the Department of Health and Senior Services is withdrawing this rulemaking.

**Title 19—DEPARTMENT OF HEALTH AND  
SENIOR SERVICES  
Division 10—Office of the Director  
Chapter 33—Hospital and Ambulatory Surgical  
Center Data Disclosure**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Department of Health and Senior Services under section 192.667, RSMo Supp. 2013, the department withdraws a proposed rule as follows:

**19 CSR 10-33.010** Reporting Patient Abstract Data by Hospitals  
and Ambulatory Surgical Centers **is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 17, 2014 (39 MoReg 733-736). This proposed rule is withdrawn.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received several comments on this proposed rule. Multiple comments expressed concern regarding the federal ICD-10 implementation delay from October 1, 2014, to at least October 1, 2015. The exact implementation date is unknown at this time.

RESPONSE: As a result, the Department of Health and Senior Services is withdrawing this rulemaking.

**T**his section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**Title 2—DEPARTMENT OF AGRICULTURE  
Division 90—Weights and Measures**

**FISCAL YEAR JULY 1, 2014–JUNE 30, 2015  
BUDGET PLAN**

*PURPOSE: This proposed budget is filed in compliance with the provisions of section 323.025.10, RSMo Supp. 2013, which requires the Missouri Propane Gas Commission to prepare and submit a budget plan for public comment.*

**INCOME:**

Estimated Assessments*	\$540,000
Interest Income	\$ 180
<b>Total Income:</b>	<b>\$540,180</b>

**EXPENSES:**

Furnishings, Equipment and Vehicle (Depreciation and Amortization)	\$ 21,325
Rent, Utility, and Communication Expenses	\$ 21,600
Professional and Contract Services	\$ 28,950
Operating Expenses	\$ 15,900
Personnel Expenses	\$260,700
Employee Benefits	\$ 53,612
Inspection and Meeting Expenses	\$ 72,500
Commissioner Expenses	\$ 12,100
Insurance Expenses	\$ 4,950
<b>Total Expenses:</b>	<b>\$491,637</b>

\*Assessment rates: .00225 cent per gallon

*AUTHORITY: section 323.025.10, RSMo Supp. 2013.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed budget with the Missouri Propane Gas Commission, 4110 Country Club Drive, Ste. 200, Jefferson City, MO 65109-0302. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**STATUTORY LIST OF CONTRACTORS  
BARRED FROM PUBLIC WORKS PROJECTS**

The following is a list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. Under this statute, no public body shall award a contract for public works to any contractor or subcontractor, or simulation thereof, during the time that such contractor or subcontractor's name appears on this state debarment list maintained by the Secretary of State. In addition, this list includes contractor(s) that have agreed to entry of an injunction permanently prohibiting them and any persons and entities related to them from engaging in, or having any involvement in, any business in Missouri.

**Contractors Convicted of Violations of the Missouri Prevailing Wage Law**

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Urban Metropolitan Development, LLC Case No. 12AO-CR01752 (Jasper County Cir. Ct.)		1101 Juniper St., Ste. 925 Atlanta, Georgia 30309	08/08/2013	08/08/2013 to 08/08/2014

**Contractors Agreeing to Permanent Prohibition from Engaging In, or Having Any Involvement In, Any Business in Missouri**

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Injunction</u>	<u>Debarment Period</u>
Urban Metropolitan Development, LLC		1101 Juniper St., Ste. 925 Atlanta, Georgia 30309	09/27/2013	Permanent
Troy Langley		1101 Juniper St., Ste. 925 Atlanta, Georgia 30309	09/27/2013	Permanent

Dated this 17<sup>th</sup> day of March 2014.

  
John E. Lindsey, Division Director

**T**he Secretary of State is required by sections 347.141 and 359.481, RSMo 2000, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to [dissolutions@sos.mo.gov](mailto:dissolutions@sos.mo.gov).

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
D & G FARM AND LAND, LLC**

On June 17, 2014, D & G Farm and Land, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to Company, c/o Frank C. Carnahan, Carnahan, Evans, Cantwell & Brown, P.C., 2805 S. Ingram Mill, Springfield, Missouri 65804, a written summary of any claims against Company, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
D & G FARM AND LAND II, LLC**

On June 17, 2014, D & G Farm and Land II, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to Company, c/o Frank C. Carnahan, Carnahan, Evans, Cantwell & Brown, P.C., 2805 S. Ingram Mill, Springfield, Missouri 65804, a written summary of any claims against Company, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

**NOTICE OF WINDING UP OF LIMITED PARTNERSHIP  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
FOOTE FAMILY LIMITED PARTNERSHIP I  
PURSUANT TO R.S.Mo. § 359-481**

FOOTE FAMILY LIMITED PARTNERSHIP I, a Missouri limited partnership, filed its certificate of cancellation with the Missouri Secretary of State on June 24, 2014, effective on the filing date.

All persons and organizations with claims against said partnership must submit in writing to Foote Family Limited Partnership I, c/o Julie T. Brown, Esq., Carnahan, Evans, Cantwell & Brown, P.C., 2805 S. Ingram Mill, Springfield, Missouri 65804-4043, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against Foote Family Limited Partnership I will be barred unless a proceeding to enforce the claim is commenced within three (3) years after this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL  
CREDITORS OF AND CLAIMANTS AGAINST TRIPLE LOOP HOUSEWARES,  
LLC**

On June 30, 2014, Triple Loop Housewares, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. All persons and organizations with claims against the Company must submit to Triple Loop Housewares, LLC, c/o Simon Law Offices, 2101 Corona Road, Suite 203, Columbia, MO 65203, a written summary of any claims against the Company which shall include the name, address, and telephone numbers of the claimant, the amount of the claim, date(s) the claim accrued, a brief description of the nature/basis for the claim, and any documentation of the claim. Claims against the Company will be barred unless a proceeding to enforce the claim is commenced within 3 years after the publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL  
CREDITORS OF AND CLAIMANTS AGAINST DOMA DIVA APPLIANCES US,  
LLC**

On June 30, 2014, Doma Diva Appliances US, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. All persons and organizations with claims against the Company must submit to Doma Diva Appliances US, LLC, c/o Simon Law Offices, 2101 Corona Road, Suite 203, Columbia, MO 65203, a written summary of any claims against the Company which shall include the name, address, and telephone numbers of the claimant, the amount of the claim, date(s) the claim accrued, a brief description of the nature/basis for the claim, and any documentation of the claim. Claims against the Company will be barred unless a proceeding to enforce the claim is commenced within 3 years after the publication of this notice.



# Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—37 (2012) and 38 (2013). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	<b>OFFICE OF ADMINISTRATION</b> State Officials' Salary Compensation Schedule				37 MoReg 1859 38 MoReg 2053
2 CSR 90-10	<b>DEPARTMENT OF AGRICULTURE</b> Weights and Measures				38 MoReg 1241 This Issue
2 CSR 90-10.001	Weights and Measures		39 MoReg 1199		
2 CSR 90-10.011	Weights and Measures		39 MoReg 1199		
2 CSR 90-10.020	Weights and Measures		39 MoReg 1200		
2 CSR 90-10.040	Weights and Measures		39 MoReg 1200		
3 CSR 10-4.110	<b>DEPARTMENT OF CONSERVATION</b> Conservation Commission		39 MoReg 1200		
3 CSR 10-4.111	Conservation Commission		39 MoReg 849	39 MoReg 1155	
3 CSR 10-6.550	Conservation Commission		39 MoReg 849	39 MoReg 1155	
3 CSR 10-7.433	Conservation Commission		39 MoReg 1265		
3 CSR 10-7.440	Conservation Commission		N.A.	This Issue	
3 CSR 10-9.220	Conservation Commission		39 MoReg 1201		
3 CSR 10-9.353	Conservation Commission		39 MoReg 1209		
3 CSR 10-9.359	Conservation Commission		39 MoReg 1216		
3 CSR 10-9.560	Conservation Commission		39 MoReg 1220		
3 CSR 10-9.565	Conservation Commission		39 MoReg 1220		
3 CSR 10-9.566	Conservation Commission		39 MoReg 1224		
3 CSR 10-10.735	Conservation Commission		39 MoReg 849	39 MoReg 1155	
3 CSR 10-11.115	Conservation Commission		39 MoReg 850	39 MoReg 1155	
3 CSR 10-11.205	Conservation Commission		39 MoReg 850	39 MoReg 1156	
3 CSR 10-11.210	Conservation Commission		39 MoReg 851	39 MoReg 1156	
3 CSR 10-11.215	Conservation Commission		39 MoReg 851	39 MoReg 1156	
3 CSR 10-12.110	Conservation Commission		39 MoReg 852	39 MoReg 1156	
3 CSR 10-12.140	Conservation Commission		39 MoReg 852	39 MoReg 1156	
3 CSR 10-12.145	Conservation Commission		39 MoReg 852	39 MoReg 1156	
4 CSR 85-5.020	<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b> Division of Business and Community Services	39 MoReg 1113			
4 CSR 85-8.010	Division of Business and Community Services	38 MoReg 1925 39 MoReg 489T			
4 CSR 85-8.020	Division of Business and Community Services	38 MoReg 1934 39 MoReg 489T			
4 CSR 85-8.030	Division of Business and Community Services	38 MoReg 1934 39 MoReg 489T			
4 CSR 85-9.010	Division of Business and Community Services	38 MoReg 1935 39 MoReg 489T			
4 CSR 85-9.020	Division of Business and Community Services	38 MoReg 1936 39 MoReg 489T			
4 CSR 85-9.030	Division of Business and Community Services	38 MoReg 1937 39 MoReg 490T			
4 CSR 85-9.040	Division of Business and Community Services	38 MoReg 1947 39 MoReg 490T			
4 CSR 85-9.050	Division of Business and Community Services	38 MoReg 1954 39 MoReg 490T			
4 CSR 85-10.010	Division of Business and Community Services		39 MoReg 721		
4 CSR 85-10.020	Division of Business and Community Services		39 MoReg 723		
4 CSR 85-10.030	Division of Business and Community Services		39 MoReg 724		
4 CSR 85-10.040	Division of Business and Community Services		39 MoReg 725		
4 CSR 85-10.050	Division of Business and Community Services		39 MoReg 726		
4 CSR 85-10.060	Division of Business and Community Services		39 MoReg 728		
4 CSR 240-2.090	Public Service Commission		39 MoReg 630	39 MoReg 1228	
4 CSR 340-2	Division of Energy				39 MoReg 1170

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 340-2.010	Division of Energy ( <i>Changed from 10 CSR 140-2.010</i> )				39 MoReg 1170
4 CSR 340-2.020	Division of Energy ( <i>Changed from 10 CSR 140-2.020</i> )				39 MoReg 1170
4 CSR 340-4.010	Division of Energy ( <i>Changed from 10 CSR 140-4.010</i> )				39 MoReg 1170
4 CSR 340-6.010	Division of Energy ( <i>Changed from 10 CSR 140-6.010</i> )				39 MoReg 1170
4 CSR 340-7.010	Division of Energy ( <i>Changed from 10 CSR 140-7.010</i> )				39 MoReg 1170
4 CSR 340-8.010	Division of Energy ( <i>Changed from 10 CSR 140-8.010</i> )				39 MoReg 1170
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR 20-400.450	Division of Learning Services		39 MoReg 1075		
5 CSR 20-500.130	Division of Learning Services		39 MoReg 630	39 MoReg 1157	
5 CSR 20-500.140	Division of Learning Services		39 MoReg 631	39 MoReg 1157	
5 CSR 20-500.150	Division of Learning Services		39 MoReg 632	39 MoReg 1157	
5 CSR 20-500.160	Division of Learning Services		39 MoReg 633	39 MoReg 1157	
5 CSR 20-500.170	Division of Learning Services		39 MoReg 633	39 MoReg 1157	
5 CSR 20-500.180	Division of Learning Services		39 MoReg 634	39 MoReg 1157	
5 CSR 20-500.190	Division of Learning Services		39 MoReg 634	39 MoReg 1158	
5 CSR 20-500.200	Division of Learning Services		39 MoReg 635	39 MoReg 1158	
5 CSR 100-200.010	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 636	39 MoReg 1277	
5 CSR 100-200.030	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 636R	39 MoReg 1280R	
5 CSR 100-200.035	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 637	39 MoReg 1283	
5 CSR 100-200.040	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 639	39 MoReg 1287	
5 CSR 100-200.045	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 639	39 MoReg 1290	
5 CSR 100-200.050	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 640	39 MoReg 1293	
5 CSR 100-200.060	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 642	39 MoReg 1298	
5 CSR 100-200.070	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 642	39 MoReg 1302	
5 CSR 100-200.075	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 643R	39 MoReg 1305R	
5 CSR 100-200.130	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 643	39 MoReg 1308	
5 CSR 100-200.150	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 645	39 MoReg 1311	
5 CSR 100-200.170	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 648	39 MoReg 1314	
5 CSR 100-200.210	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 651	39 MoReg 1320	
<b>DEPARTMENT OF HIGHER EDUCATION</b>					
6 CSR 10-2.140	Commissioner of Higher Education		39 MoReg 1029		
6 CSR 10-12.010	Commissioner of Higher Education		39 MoReg 1116		
<b>DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10-1.010	Missouri Highways and Transportation Commission		39 MoReg 729R	This IssueR	
			39 MoReg 729	This Issue	
7 CSR 10-12.010	Missouri Highways and Transportation Commission		39 MoReg 493	39 MoReg 1229	
7 CSR 10-12.020	Missouri Highways and Transportation Commission		39 MoReg 493	39 MoReg 1229	
7 CSR 10-12.030	Missouri Highways and Transportation Commission		39 MoReg 494	39 MoReg 1229	
7 CSR 10-25.010	Missouri Highways and Transportation Commission				39 MoReg 1129
					39 MoReg 1130
					39 MoReg 1171
					39 MoReg 1172
					39 MoReg 1231
					39 MoReg 1232
					39 MoReg 1232
					39 MoReg 1233
<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
8 CSR 10-4.160	Division of Employment Security				39 MoReg 1234
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 10-5.220	Air Conservation Commission		39 MoReg 769		
10 CSR 10-6.040	Air Conservation Commission		39 MoReg 853		
10 CSR 10-6.165	Air Conservation Commission		39 MoReg 732	This Issue	
10 CSR 140-2.010	Division of Energy ( <i>Changed to 4 CSR 340-2.010</i> )				39 MoReg 1170
10 CSR 140-2.020	Division of Energy ( <i>Changed to 4 CSR 340-2.020</i> )				39 MoReg 1170
10 CSR 140-4.010	Division of Energy ( <i>Changed to 4 CSR 340-4.010</i> )				39 MoReg 1170
10 CSR 140-6.010	Division of Energy ( <i>Changed to 4 CSR 340-6.010</i> )				39 MoReg 1170
10 CSR 140-7.010	Division of Energy ( <i>Changed to 4 CSR 340-7.010</i> )				39 MoReg 1170
10 CSR 140-8.010	Division of Energy ( <i>Changed to 4 CSR 340-8.010</i> )				39 MoReg 1170
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR 45-1.090	Missouri Gaming Commission		39 MoReg 651	This Issue	
11 CSR 45-4.010	Missouri Gaming Commission		39 MoReg 192	39 MoReg 1158	
11 CSR 45-4.020	Missouri Gaming Commission		39 MoReg 192	39 MoReg 1158	
11 CSR 45-4.030	Missouri Gaming Commission		39 MoReg 196	39 MoReg 1159	
11 CSR 45-4.055	Missouri Gaming Commission		39 MoReg 196	39 MoReg 1159	
11 CSR 45-4.190	Missouri Gaming Commission		39 MoReg 196	39 MoReg 1159	
11 CSR 45-4.200	Missouri Gaming Commission		39 MoReg 197	39 MoReg 1159	
11 CSR 45-4.205	Missouri Gaming Commission		39 MoReg 198R	39 MoReg 1159R	
11 CSR 45-4.230	Missouri Gaming Commission		39 MoReg 652	This Issue	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
11 CSR 45-4.260	Missouri Gaming Commission		39 MoReg 198	39 MoReg 1160	
11 CSR 45-4.380	Missouri Gaming Commission		39 MoReg 201	39 MoReg 1160	
11 CSR 45-4.390	Missouri Gaming Commission		39 MoReg 201	39 MoReg 1161	
11 CSR 45-4.400	Missouri Gaming Commission		39 MoReg 203	39 MoReg 1161	
11 CSR 45-4.410	Missouri Gaming Commission		39 MoReg 203	39 MoReg 1161	
11 CSR 45-4.420	Missouri Gaming Commission		39 MoReg 204	39 MoReg 1162	
11 CSR 45-5.190	Missouri Gaming Commission		39 MoReg 657	This Issue	
11 CSR 45-5.225	Missouri Gaming Commission		39 MoReg 658	This Issue	
11 CSR 45-7.170	Missouri Gaming Commission		39 MoReg 204	39 MoReg 1162	
11 CSR 45-9.113	Missouri Gaming Commission		39 MoReg 204	39 MoReg 1162	
11 CSR 45-9.118	Missouri Gaming Commission		39 MoReg 205	39 MoReg 1162	
11 CSR 45-10.020	Missouri Gaming Commission		39 MoReg 205	39 MoReg 1163	
11 CSR 45-13.030	Missouri Gaming Commission		39 MoReg 205	39 MoReg 1163	

**DEPARTMENT OF REVENUE**

12 CSR 40-10.010	State Lottery		This Issue		
12 CSR 40-10.040	State Lottery		This Issue		
12 CSR 40-10.070	State Lottery		This Issue		
12 CSR 40-15.010	State Lottery		This Issue		
12 CSR 40-20.010	State Lottery		This Issue		
12 CSR 40-20.020	State Lottery		This Issue		
12 CSR 40-20.030	State Lottery		This Issue		
12 CSR 40-20.040	State Lottery		This Issue		
12 CSR 40-30.180	State Lottery		This Issue		
12 CSR 40-40.010	State Lottery		This Issue		
12 CSR 40-40.012	State Lottery		This Issue		
12 CSR 40-40.015	State Lottery		This Issue		
12 CSR 40-40.020	State Lottery		This Issue		
12 CSR 40-40.030	State Lottery		This Issue		
12 CSR 40-40.040	State Lottery		This Issue		
12 CSR 40-40.050	State Lottery		This Issue		
12 CSR 40-40.060	State Lottery		This Issue		
12 CSR 40-40.070	State Lottery		This Issue		
12 CSR 40-40.071	State Lottery		This Issue		
12 CSR 40-40.080	State Lottery		This Issue		
12 CSR 40-40.090	State Lottery		This Issue		
12 CSR 40-40.110	State Lottery		This Issue		
12 CSR 40-40.120	State Lottery		This Issue		
12 CSR 40-40.150	State Lottery		This Issue		
12 CSR 40-40.160	State Lottery		This Issue		
12 CSR 40-40.170	State Lottery		This Issue		
12 CSR 40-40.180	State Lottery		This Issue		
12 CSR 40-40.190	State Lottery		This IssueR		
12 CSR 40-40.210	State Lottery		This Issue		
12 CSR 40-40.220	State Lottery		This Issue		
12 CSR 40-40.240	State Lottery		This Issue		
12 CSR 40-40.250	State Lottery		This Issue		
12 CSR 40-40.260	State Lottery		This Issue		
12 CSR 40-40.270	State Lottery		This Issue		
12 CSR 40-50.010	State Lottery		This Issue		
12 CSR 40-50.030	State Lottery		This Issue		
12 CSR 40-50.050	State Lottery		This Issue		
12 CSR 40-60.020	State Lottery		This Issue		
12 CSR 40-60.030	State Lottery		This Issue		
12 CSR 40-60.040	State Lottery		This Issue		
12 CSR 40-60.050	State Lottery		This Issue		
12 CSR 40-70.010	State Lottery		This Issue		
12 CSR 40-70.020	State Lottery		This Issue		
12 CSR 40-70.030	State Lottery		This Issue		
12 CSR 40-70.050	State Lottery		This Issue		
12 CSR 40-70.080	State Lottery		This Issue		
12 CSR 40-80.010	State Lottery		This Issue		
12 CSR 40-80.020	State Lottery		This Issue		
12 CSR 40-80.030	State Lottery		This Issue		
12 CSR 40-80.050	State Lottery		This Issue		
12 CSR 40-80.090	State Lottery		This Issue		
12 CSR 40-80.100	State Lottery		This Issue		
12 CSR 40-80.110	State Lottery		This Issue		
12 CSR 40-80.120	State Lottery		This Issue		
12 CSR 40-80.130	State Lottery		This Issue		
12 CSR 40-85.005	State Lottery		This Issue		
12 CSR 40-85.010	State Lottery		This Issue		
12 CSR 40-85.020	State Lottery		This IssueR		
12 CSR 40-85.030	State Lottery		This Issue		
12 CSR 40-85.050	State Lottery		This Issue		
12 CSR 40-85.055	State Lottery		This Issue		
12 CSR 40-85.060	State Lottery		This Issue		
12 CSR 40-85.070	State Lottery		This Issue		
12 CSR 40-85.080	State Lottery		This Issue		
12 CSR 40-85.090	State Lottery		This Issue		
12 CSR 40-85.100	State Lottery		This Issue		
12 CSR 40-85.140	State Lottery		This Issue		
12 CSR 40-85.170	State Lottery		This Issue		
12 CSR 40-85.175	State Lottery		This Issue		
12 CSR 40-90.110	State Lottery		This Issue		
12 CSR 40-95.010	State Lottery		This Issue		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
<b>DEPARTMENT OF SOCIAL SERVICES</b>					
13 CSR 40-7.035	Family Support Division		39 MoReg 1029		
13 CSR 70-1.020	MO HealthNet Division		39 MoReg 854		
13 CSR 70-2.200	MO HealthNet Division		39 MoReg 856	This Issue	
13 CSR 70-3.250	MO HealthNet Division		39 MoReg 858	This Issue	
13 CSR 70-10.016	MO HealthNet Division		This Issue		
13 CSR 70-15.010	MO HealthNet Division	39 MoReg 1259	39 MoReg 1265		
13 CSR 70-15.110	MO HealthNet Division	39 MoReg 1260	39 MoReg 1269		
<b>RETIREMENT SYSTEMS</b>					
16 CSR 10-4.014	The Public School Retirement System of Missouri		39 MoReg 1078		
16 CSR 10-4.018	The Public School Retirement System of Missouri		39 MoReg 1079		
16 CSR 10-5.030	The Public School Retirement System of Missouri		39 MoReg 1079		
16 CSR 10-6.045	The Public School Retirement System of Missouri		39 MoReg 1080		
16 CSR 10-6.055	The Public School Retirement System of Missouri		39 MoReg 1081		
16 CSR 10-6.090	The Public School Retirement System of Missouri		39 MoReg 1082		
<b>BOARDS OF POLICE COMMISSIONERS</b>					
17 CSR 10-2.040	Kansas City Board of Police Commissioners		This Issue		
17 CSR 10-2.050	Kansas City Board of Police Commissioners		This Issue		
17 CSR 10-2.055	Kansas City Board of Police Commissioners		This Issue		
<b>PUBLIC DEFENDER COMMISSION</b>					
18 CSR 10-5.010	Office of State Public Defender		39 MoReg 1275		
<b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b>					
19 CSR 10-33.010	Office of the Director		39 MoReg 732R	This IssueW	
			39 MoReg 733	This IssueW	
19 CSR 30-20.070	Division of Regulation and Licensure		39 MoReg 441	39 MoReg 1163	
19 CSR 30-20.088	Division of Regulation and Licensure		39 MoReg 443	39 MoReg 1163	
19 CSR 30-20.090	Division of Regulation and Licensure		39 MoReg 443	39 MoReg 1164	
19 CSR 30-20.094	Division of Regulation and Licensure		39 MoReg 444	39 MoReg 1164	
19 CSR 30-20.096	Division of Regulation and Licensure		39 MoReg 446	39 MoReg 1165	
19 CSR 30-20.104	Division of Regulation and Licensure		39 MoReg 447	39 MoReg 1165	
19 CSR 30-20.108	Division of Regulation and Licensure		39 MoReg 448	39 MoReg 1166	
19 CSR 30-20.116	Division of Regulation and Licensure		39 MoReg 449	39 MoReg 1166	
19 CSR 30-20.125	Division of Regulation and Licensure		39 MoReg 450	39 MoReg 1167	
19 CSR 30-20.136	Division of Regulation and Licensure		39 MoReg 451	39 MoReg 1168	
19 CSR 30-20.138	Division of Regulation and Licensure		39 MoReg 452	39 MoReg 1168	
19 CSR 30-20.140	Division of Regulation and Licensure		39 MoReg 452	39 MoReg 1168	
19 CSR 30-22.020	Division of Regulation and Licensure		39 MoReg 453R	39 MoReg 1169R	
19 CSR 30-22.030	Division of Regulation and Licensure		39 MoReg 453R	39 MoReg 1169R	
19 CSR 30-24.040	Division of Regulation and Licensure		39 MoReg 454R	39 MoReg 1169R	
19 CSR 60-50	Missouri Health Facilities Review Committee				39 MoReg 1173 39 MoReg 1234
19 CSR 60-50.400	Missouri Health Facilities Review Committee		39 MoReg 861		
19 CSR 60-50.410	Missouri Health Facilities Review Committee		39 MoReg 863		
19 CSR 60-50.415	Missouri Health Facilities Review Committee		39 MoReg 863		
19 CSR 60-50.420	Missouri Health Facilities Review Committee		39 MoReg 866		
19 CSR 60-50.430	Missouri Health Facilities Review Committee		39 MoReg 866		
19 CSR 60-50.440	Missouri Health Facilities Review Committee		39 MoReg 867		
19 CSR 60-50.450	Missouri Health Facilities Review Committee		39 MoReg 868		
19 CSR 60-50.600	Missouri Health Facilities Review Committee		39 MoReg 868		
19 CSR 60-50.700	Missouri Health Facilities Review Committee		39 MoReg 868		
<b>DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION</b>					
20 CSR	Applied Behavior Analysis Maximum Benefit				38 MoReg 432 39 MoReg 692
20 CSR	Construction Claims Binding Arbitration Cap				39 MoReg 167
20 CSR	Sovereign Immunity Limits				39 MoReg 167
20 CSR	State Legal Expense Fund Cap				39 MoReg 167
20 CSR 2110-2.170	Missouri Dental Board	This Issue	This Issue		
20 CSR 2150-9.080	State Board of Registration for the Healing Arts		39 MoReg 1224		
20 CSR 2205-1.050	Missouri Board of Occupational Therapy		This Issue		
20 CSR 2220-4.010	State Board of Pharmacy	This Issue	This Issue		
<b>MISSOURI CONSOLIDATED HEALTH CARE PLAN</b>					
22 CSR 10-2.094	Health Care Plan	39 MoReg 767	39 MoReg 783	39 MoReg 1230	
22 CSR 10-2.130	Health Care Plan	38 MoReg 1359R	38 MoReg 1420R	38 MoReg 2096R	

Agency	Publication	Effective	Expiration
<b>Department of Economic Development</b>			
<b>Division of Business and Community Services</b>			
4 CSR 85-5.020	Preliminary Application . . . . .	39 MoReg 1113 . . . . .	May 15, 2014 . . . . .Feb. 24, 2015
<b>Department of Public Safety</b>			
<b>Missouri Gaming Commission</b>			
11 CSR 45-5.053	Policies . . . . .	Next Issue . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-8.140	Application and Verification Procedures for Granting Credit	Next Issue . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-8.141	Approval of Credit Limits . . . . .	Next Issue . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-8.142	Documentation of Customer Credit Transactions . . . . .	Next Issue . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-9.040	Commission Approval of Internal Control System . . . . .	Next Issue . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-9.104	Minimum Internal Control Standards (MICS)–Chapter D . . . . .	Next Issue . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-9.107	Minimum Internal Control Standards (MICS)–Chapter G . . . . .	Next Issue . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-9.108	Minimum Internal Control Standards (MICS)–Chapter H . . . . .	Next Issue . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-9.109	Minimum Internal Control Standards (MICS)–Chapter I . . . . .	Next Issue . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-9.111	Minimum Internal Control Standards (MICS)–Chapter K . . . . .	Next Issue . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-9.112	Minimum Internal Control Standards (MICS)–Chapter L . . . . .	Next Issue . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-9.116	Minimum Internal Control Standards (MICS)–Chapter P . . . . .	Next Issue . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-9.117	Minimum Internal Control Standards (MICS)–Chapter Q . . . . .	Next Issue . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-9.118	Minimum Internal Control Standards (MICS)–Chapter R . . . . .	Next Issue . . . . .	Aug. 30, 2014 . . . . .Feb. 28, 2015
<b>Department of Social Services</b>			
<b>MO HealthNet Division</b>			
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology	39 MoReg 1259 . . . . .	July 1, 2014 . . . . .Dec. 27, 2014
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA) . . . . .	39 MoReg 1260 . . . . .	July 1, 2014 . . . . .Dec. 27, 2014
<b>Department of Insurance, Financial Institutions and Professional Registration</b>			
<b>Missouri Dental Board</b>			
20 CSR 2110-2.170	Fees . . . . .	This Issue . . . . .	July 18, 2014 . . . . .Feb. 26, 2015
<b>State Board of Pharmacy</b>			
20 CSR 2220-4.010	General Fees . . . . .	This Issue . . . . .	July 18, 2014 . . . . .Feb. 26, 2015
<b>Missouri Consolidated Health Care Plan</b>			
<b>Health Care Plan</b>			
22 CSR 10-2.094	Tobacco-Free Incentive Provisions and Limitations . . . . .	39 MoReg 767 . . . . .	May 1, 2014 . . . . .Oct. 27, 2014

**Executive  
Orders****Subject Matter****Filed Date****Publication****2014**

<b>14-07</b>	Establishes the Disparity Study Oversight Review Committee.	July 2, 2014	This Issue
<b>14-06</b>	Orders that the Division of Energy develop a comprehensive State Energy Plan to chart a course toward a sustainable and prosperous energy future that will create jobs and improve Missourians' quality of life.	June 18, 2014	39 MoReg 1262
<b>14-05</b>	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated.	May 11, 2014	39 MoReg 1114
<b>14-04</b>	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated.	April 3, 2014	39 MoReg 1027
<b>14-03</b>	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies.	March 20, 2014	39 MoReg 958
<b>14-02</b>	Orders the Honor and Remember Flag be flown at the State Capitol each Armed Forces Day, held on the third Saturday of each May.	March 20, 2014	39 MoReg 956
<b>14-01</b>	Creates the Missouri Military Partnership to protect, retain, and enhance the Department of Defense activities in the state of Missouri.	Jan. 10, 2014	39 MoReg 491

**2013**

<b>13-14</b>	Orders the Missouri Department of Revenue to follow sections 143.031.1 and 143.091, RSMo, and require all taxpayers who properly file a joint federal income tax return to file a combined state income tax return.	Nov. 14, 2013	38 MoReg 2085
<b>13-13</b>	Advises that state offices will be closed on Friday November 29, 2013.	Nov. 1, 2013	38 MoReg 1859
<b>13-12</b>	Activates the state militia in response to the heavy rains, flooding, and flash flooding that began on Aug. 2, 2013.	Aug. 7, 2013	38 MoReg 1459
<b>13-11</b>	Declares a state of emergency and activates the Missouri State Operation Plan due to heavy rains, flooding, and flash flooding.	Aug. 6, 2013	38 MoReg 1457
<b>13-10</b>	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated.	May 31, 2013	38 MoReg 1097
<b>13-09</b>	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies.	May 3, 2013	38 MoReg 879
<b>13-08</b>	Activates the state militia in response to severe weather that began on April 16, 2013.	April 19, 2013	38 MoReg 823
<b>13-07</b>	Declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to severe weather that began on April 16, 2013.	April 19, 2013	38 MoReg 821
<b>13-06</b>	Declares a state of emergency and activates the Missouri State Emergency Operations Plan in response to severe weather that began on April 10, 2013.	April 10, 2013	38 MoReg 753
<b>13-05</b>	Declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to severe weather that began on Feb. 20, 2013.	Feb. 21, 2013	38 MoReg 505
<b>13-04</b>	Expresses the commitment of the state of Missouri to the establishment of Western Governors University (WGU) as a non-profit institution of higher education located in Missouri that will provide enhanced access for Missourians to enroll in and complete on-line, competency-based higher education programs. Contemporaneously with this Executive Order, the state of Missouri is entering into a Memorandum of Understanding (MOU) with WGU to further memorialize and establish the partnership between the state of Missouri and WGU.	Feb. 15, 2013	38 MoReg 467
<b>13-03</b>	Orders the transfer of the Division of Energy from the Missouri Department of Natural Resources to the Missouri Department of Economic Development.	Feb. 4, 2013	38 MoReg 465
<b>13-02</b>	Orders the transfer of the post-issuance compliance functions for tax credit and job incentive programs from the Missouri Department of Economic Development to the Missouri Department of Revenue.	Feb. 4, 2013	38 MoReg 463
<b>13-01</b>	Orders the transfer of the Center for Emergency Response and Terrorism from the Department of Health and Senior Services to the Department of Public Safety.	Feb. 4, 2013	38 MoReg 461

The rule number and the MoReg publication date follow each entry to this index.

## ADMINISTRATION, OFFICE OF

state official's salary compensation schedule; 1 CSR 10; 12/2/13

## AIR QUALITY, AIR POLLUTION CONTROL

additional air quality control measures may be required when sources are clustered in a small land area; 10 CSR 10-5.240; 11/15/13, 6/2/14  
ambient air quality standards; 10 CSR 10-6.010; 12/16/13, 6/2/14  
control of petroleum liquid storage, loading, and transfer; 10 CSR 10-5.220; 4/1/14  
hospital, medical, infection waste incinerators; 10 CSR 10-6.200; 9/3/13, 12/2/13, 6/2/14  
reference methods; 10 CSR 10-6.040; 4/15/14  
restriction of emission of odors; 10 CSR 10-6.165; 3/17/14, 8/15/14

## BREATH ALCOHOL IGNITION INTERLOCK DEVICE CERTIFICATION AND OPERATIONAL REQUIREMENTS

approval procedure; 7 CSR 60-2.020; 4/15/13  
breath alcohol ignition interlock device security; 7 CSR 60-2.050; 4/15/13  
definitions; 7 CSR 60-2.010; 4/15/13  
responsibilities of authorized service providers; 7 CSR 60-2.040; 4/15/13  
standards and specifications; 7 CSR 60-2.030; 4/15/13  
suspension or revocation of approval of a device; 7 CSR 60-2.060; 4/15/13

## BUSINESS AND COMMUNITY SERVICES, DIVISION OF

application process  
4 CSR 85-9.021; 3/3/14, 5/1/14, 6/16/14  
4 CSR 85-10.030; 3/17/14  
completion and closing; 4 CSR 85-10.040; 3/17/14  
cost certification; 4 CSR 85-9.051; 3/3/14, 5/1/14, 6/16/14  
definitions  
4 CSR 85-8.011; 3/3/14, 5/1/14, 6/16/14  
4 CSR 85-9.011; 3/3/14, 5/1/14, 6/16/14  
event notification  
4 CSR 85-9.041; 3/3/14, 5/1/14, 6/16/14  
general organization; 4 CSR 85-10.010; 3/17/14  
miscellaneous; 4 CSR 85-10.060; 3/17/14  
model procurement standards; 4 CSR 85-10.050; 3/17/14  
preliminary application; 4 CSR 85-5.020; 6/16/14  
project proposal  
4 CSR 85-9.031; 3/3/14, 5/1/14, 6/16/14  
program administration  
4 CSR 85-8.021; 3/3/14, 5/1/14, 6/16/14  
remediation tax credits; 4 CSR 85-10.020; 3/17/14  
support contract; 4 CSR 85-9.035; 3/3/14, 5/1/14, 6/16/14

## CERTIFICATE OF NEED PROGRAM

application package; 19 CSR 60-50.430; 4/15/14  
application review schedule; 19 CSR 60-50; 7/1/14, 7/15/14  
certificate of need decisions; 19 CSR 60-50.600; 4/15/14  
criteria and standards for equipment and new hospitals; 19 CSR 60-50.440; 4/15/14  
criteria and standards for long-term care; 19 CSR 60-50.450; 4/15/14  
letter of intent package; 19 CSR 60-50.410; 4/15/14  
letter of intent process; 19 CSR 60-50.400; 4/15/14  
post-decision activity; 19 CSR 60-50.700; 4/15/14  
review process; 19 CSR 60-50.420; 4/15/14  
special exemption subcommittee; 19 CSR 60-50.415; 4/15/14

## CHILDREN'S DIVISION

hand-up pilot program; 13 CSR 35-32.040; 6/3/13, 10/1/13

## CONSERVATION, DEPARTMENT OF

class I and class II wildlife breeder: records required; 3 CSR 10-9.359; 7/15/14  
closing; 3 CSR 10-11.115; 4/15/14, 7/1/14  
deer  
antlerless deer hunting permit availability; 3 CSR 10-7.437; 6/2/14  
firearms hunting season; 3 CSR 10-7.433; 6/2/14, 8/1/14  
landowner privileges; 3 CSR 10-7.434; 6/2/14  
endangered species; 3 CSR 10-4.111; 4/15/14, 7/1/14  
fishing  
daily and possession limits  
3 CSR 10-11.210; 4/15/14, 7/1/14  
3 CSR 10-12.140; 4/15/14, 7/1/14  
length limits  
3 CSR 10-11.215; 4/15/14, 7/1/14  
3 CSR 10-12.145; 4/15/14, 7/1/14  
methods and limits; 3 CSR 10-11.205; 4/15/14, 7/1/14  
general prohibition; applications; 3 CSR 10-4.110; 7/15/14  
licensed hunting preserve  
permit; 3 CSR 10-9.560; 7/15/14  
privileges; 3 CSR 10-9.565; 7/15/14  
records required; 3 CSR 10-9.566; 7/15/14  
migratory game birds and waterfowl: seasons, limits; 3 CSR 10-7.440; 8/15/14  
other fish; 3 CSR 10-6.550; 4/15/14, 7/1/14  
privileges of class I and class II wildlife breeders; 3 CSR 10-9.353; 7/15/14  
sale of live bait; 3 CSR 10-10.735; 4/15/14, 7/1/14  
use of boats and motors; 3 CSR 10-12.110; 4/15/14, 7/1/14  
wildlife confinement standards; 3 CSR 10-9.220; 7/15/14

## COSMETOLOGY AND BARBER EXAMINERS, BOARD OF

instructor renewal and inactive license requirements; 20 CSR 2085-8.070; 1/2/14, 6/2/14

## DEAF AND HARD OF HEARING, MISSOURI COMMISSION FOR THE

application for interpreter in Missouri; 5 CSR 100-200.050; 3/3/14, 8/1/14  
certification maintenance; 5 CSR 100-200.130; 3/3/14, 8/1/14  
fees; 5 CSR 100-200.150; 3/3/14, 8/1/14  
general organization; 5 CSR 100-200.010; 3/3/14, 8/1/14  
Missouri interpreters certification system  
5 CSR 100-200.030; 3/3/14, 8/1/14  
5 CSR 100-200.035; 3/3/14, 8/1/14  
performance test and evaluation; 5 CSR 100-200.070; 3/3/14, 8/1/14  
provisional certification in education; 5 CSR 100-200.045; 3/3/14, 8/1/14  
reinstatement; 5 CSR 100-200.210; 3/3/14, 8/1/14  
restricted certification in education; 5 CSR 100-200.040; 3/3/14, 8/1/14  
skill level standards; 5 CSR 100-200.170; 3/3/14, 8/1/14  
voluntary recertification; 5 CSR 100-200.075; 3/3/14, 8/1/14  
written test; 5 CSR 100-200.060; 3/3/14, 8/1/14

## DENTAL BOARD, MISSOURI

fees; 20 CSR 2110-2.170; 8/15/14

## ELEMENTARY AND SECONDARY EDUCATION, DEPARTMENT OF

administrative appeal procedure for applicants denied certification; 5 CSR 20-400.120; 1/15/14, 6/2/14  
administrative procedures for recertifying teachers whose certificates have been revoked by a certifying authority other

than the state board of education; 5 CSR 20-400.140; 1/15/14, 6/2/14  
 administrative procedures for recertifying teachers whose certificates have been revoked by the state board of education; 5 CSR 20-400.130; 1/15/14, 6/2/14  
 appeals; 5 CSR 20-500.170; 3/3/14, 7/1/14  
 confidentiality and release of information; 5 CSR 20-500.130; 3/3/14, 7/1/14  
 due process hearing; 5 CSR 20-500.190; 3/3/14, 7/1/14  
 eligibility; 5 CSR 20-500.150; 3/3/14, 7/1/14  
 informal review; 5 CSR 20-500.180; 3/3/14, 7/1/14  
 mediation; 5 CSR 20-500.200; 3/3/14, 7/1/14  
 minimum standards; 5 CSR 20-500.140; 3/3/14, 7/1/14  
 Missouri advisory board for educator preparation (MABEP); 5 CSR 20-400.450; 6/2/14  
 order of selection for services; 5 CSR 20-500.160; 3/3/14, 7/1/14

## ENERGY, DIVISION OF

certification of renewable energy and renewable energy compliance account  
     4 CSR 340-8.010; 7/1/14  
     10 CSR 140-8.010; 7/1/14  
 energy set-aside fund  
     definitions  
         4 CSR 340-2.010; 7/1/14  
         10 CSR 140-2.010; 7/1/14  
     energy-efficiency and renewable energy loan cycle; 4 CSR 340-2; 7/1/14  
     general provisions  
         4 CSR 340-2.020; 7/1/14  
         10 CSR 140-2.020; 7/1/14  
 Missouri propane education and research program  
     definitions and general provisions—membership  
         4 CSR 340-6.010; 7/1/14  
         10 CSR 140-6.010; 7/1/14  
 state building minimum energy efficiency standard  
     4 CSR 340-7.010; 7/1/14  
     10 CSR 140-7.010; 7/1/14  
 wood energy credit  
     4 CSR 340-4.010; 7/1/14  
     10 CSR 140-4.010; 7/1/14

## EXECUTIVE ORDERS

declares a state of emergency exists in the state of Missouri and directs the Missouri State Emergency Operations Plan be activated; 14-05; 6/16/14  
 establishes the Disparity Study Oversight Review Committee; 14-07; 8/15/14  
 orders that the Division of Energy develop a comprehensive State Energy Plan to chart a course toward a sustainable and prosperous energy future that will create jobs and improve Missourians' quality of life; 14-06; 8/1/14

## FAMILY SUPPORT DIVISION

participation verification; 13 CSR 40-7.035; 5/15/14

## GAMING COMMISSION, MISSOURI

access to areas of class B licensee facilities; 11 CSR 45-7.170; 1/15/14, 7/1/14  
 affiliate supplier's license; 11 CSR 45-4.205; 1/15/14, 7/1/14  
 application for class A or class B license; 11 CSR 45-4.030; 1/15/14, 7/1/14  
 application period and fees for a class A and class B license; 11 CSR 45-4.055 1/15/14, 7/1/14  
 definitions; 11 CSR 45-1.090; 3/3/14, 8/15/14  
 identification badge requirements; 11 CSR 45-4.410; 1/15/14, 7/1/14  
 licensee performance of duties; 11 CSR 45-4.400; 1/15/14, 7/1/14  
 licensee's and applicant's duty to disclose changes in information; 11 CSR 45-10.020; 1/15/14, 7/1/14

license renewal and continuing suitability requirement; 11 CSR 45-4.190; 1/15/14, 7/1/14  
 licenses, restrictions on licenses, licensing authority for the executive director, and other definitions; 11 CSR 45-4.020; 1/15/14, 7/1/14  
 minimum internal control standards (MICS)  
     chapter M; 11 CSR 45-9.113; 1/15/14, 7/1/14  
     chapter R; 11 CSR 45-9.118; 1/15/14, 7/1/14  
 minimum standards for electronic gaming devices; 11 CSR 45-5.190; 3/3/14, 8/15/14  
 occupational and key person/key business entity license application and annual fees; 11 CSR 45-4.380; 1/15/14, 7/1/14  
 occupational license; 11 CSR 45-4.420; 1/15/14, 7/1/14  
 occupational license renewal; 11 CSR 45-4.390; 1/15/14, 7/1/14  
 occupational licenses for class A, class B, and suppliers; 11 CSR 45-4.260; 1/15/14, 7/1/14  
 requests for gaming devices and associated equipment approval; 11 CSR 45-5.225; 3/3/14, 8/15/14  
 requests for hearings; 11 CSR 45-13.030; 1/15/14, 7/1/14  
 types of licenses; 11 CSR 45-4.010; 1/15/14, 7/1/14  
 supplier's license; 11 CSR 45-4.200; 1/15/14, 7/1/14  
 supplier's license criteria; 11 CSR 45-4.230; 3/3/14, 8/15/14

## HEALING ARTS, STATE BOARD OF REGISTRATION FOR

fees; 20 CSR 2150-9.080; 7/15/14

## HEALTH AND SENIOR SERVICES

director, office of the  
     reporting patient abstract data by hospitals and ambulatory surgical centers; 19 CSR 10-33.010; 3/17/14, 8/15/14  
 regulation and licensure  
     administrative standards for rehabilitation hospitals; 19 CSR 30-22.020; 2/3/14, 7/1/14  
     central services; 19 CSR 30-20.088; 2/3/14, 7/1/14  
     fire safety, general safety, and operating features; 19 CSR 30-20.108; 2/3/14, 7/1/14  
     food and nutrition services; 19 CSR 30-20.090; 2/3/14, 7/1/14  
     infection prevention and control; 19 CSR 30-20.116; 2/3/14, 7/1/14  
     medical records; 19 CSR 30-20.094; 2/3/14, 7/1/14  
     nursing services; 19 CSR 30-20.096; 2/3/14, 7/1/14  
     registration as a hospital infectious waste generator; 19 CSR 30-20.070; 2/3/14, 7/1/14  
     respiratory care services; 19 CSR 30-20.136; 2/3/14, 7/1/14  
     social services; 19 CSR 30-20.104; 2/3/14, 7/1/14  
     specialized inpatient care services; 19 CSR 30-20.138; 2/3/14, 7/1/14  
     standards for registration as a hospital infectious waste generator  
         19 CSR 30-22.030; 2/3/14, 7/1/14  
         19 CSR 30-24.040; 2/3/14, 7/1/14  
     surgical services; 19 CSR 30-20.140; 2/3/14, 7/1/14  
     unlicensed assistive personnel training program; 19 CSR 30-20.125; 2/3/14, 7/1/14

## HIGHER EDUCATION, DEPARTMENT OF

educational credit for military training or service; 6 CSR 10-12.010; 6/16/14  
 institutional eligibility for student participation; 6 CSR 10-2.140; 5/15/14

## HIGHWAYS AND TRANSPORTATION COMMISSION, MISSOURI

organization; general provisions  
     description, organization, and information; 7 CSR 10-1.010; 3/17/14, 8/15/14  
 scenic byways  
     application procedures; 7 CSR 10-12.020; 2/18/14, 7/15/14  
     nomination review process; 7 CSR 10-12.030; 2/18/14, 7/15/14  
     scenic byways; 7 CSR 10-12.010; 2/18/14, 7/15/14



skill performance evaluation certificates for commercial drivers; 7  
CSR 10-25.010; 6/16/14, 7/1/14, 7/15/14

#### **INSURANCE**

applied behavior analysis maximum benefit; 20 CSR; 3/3/14  
construction claims binding arbitration cap; 20 CSR; 1/2/14  
sovereign immunity limits; 20 CSR; 1/2/14  
state legal expense fund; 20 CSR; 1/2/14

#### **LABOR AND INDUSTRIAL RELATIONS, DEPARTMENT OF**

employment security  
appeals to an appeals tribunal; 8 CSR 10-5.010; 7/1/13,  
10/15/13  
lessor employing units; 8 CSR 10-4.160; 7/15/14

#### **LOTTERY, STATE**

adoption of state purchasing rules; 12 CSR 40-30.180; 8/15/14  
all employees to be fingerprinted; 12 CSR 40-15.010; 8/15/14  
alternative distribution channels; 12 CSR 40-10.070; 8/15/14  
application; 12 CSR 40-40.010; 8/15/14  
assignment or transfer of license prohibited; 12 CSR 40-40.070;  
8/15/14  
bond/license fee requirements; 12 CSR 40-40.050; 8/15/14  
cancellation of or failure to enter draw game tickets; 12 CSR 40-  
85.090; 8/15/14  
cash prizes; 12 CSR 40-60.020; 8/15/14  
change of business location; 12 CSR 40-40.071; 8/15/14  
change of information; 12 CSR 40-40.150; 8/15/14  
change of location or of business organization for draw game  
retailer; 12 CSR 40-85.100; 8/15/14  
claim period; 12 CSR 40-50.050; 8/15/14  
commission to meet quarterly; 12 CSR 40-10.040; 8/15/14  
compliance; 12 CSR 40-80.110; 8/15/14  
criteria for on-line terminal award; 12 CSR 40-85.020; 8/15/14  
decision of the director; 12 CSR 40-70.080; 8/15/14  
definitions; 12 CSR 40-10.010; 8/15/14  
definitions for all draw games; 12 CSR 40-85.005; 8/15/14  
definitions for scratchers games; 12 CSR 40-80.010; 8/15/14  
designation for specifics for each draw game; 12 CSR 40-85.055;  
8/15/14  
designation of specifics for each scratchers game; 12 CSR 40-  
90.110; 8/15/14  
director to give detailed reason for action; 12 CSR 40-70.020;  
8/15/14  
display of license; 12 CSR 40-40.060; 8/15/14  
disputes  
12 CSR 40-80.100; 8/15/14  
12 CSR 40-85.070; 8/15/14  
draw games contract provisions; 12 CSR 40-85.010; 8/15/14  
draw games ticket validation requirements; 12 CSR 40-85.030;  
8/15/14  
drawing and selling times; 12 CSR 40-85.140; 8/15/14  
electronic funds transfer system (EFT); 12 CSR 40-20.020;  
8/15/14  
eligibility for losses; 12 CSR 40-40.090; 8/15/14  
entry of plays; 12 CSR 40-85.175; 8/15/14  
factors to be considered; 12 CSR 40-40.020; 8/15/14  
further limitations on draw games prizes; 12 CSR 40-85.060;  
8/15/14  
game sell-out prohibited; 12 CSR 40-85.170; 8/15/14  
incapacity of licensee 12 CSR 40-40.220; 8/15/14  
issuance and length of licenses; 12 CSR 40-40.015; 8/15/14  
licensees to authorize electronic funds transfer; 12 CSR 40-20.010;  
8/15/14  
license locations; 12 CSR 40-40.040; 8/15/14  
limitation on awarding instant prizes; 12 CSR 40-80.030; 8/15/14  
loss of license; 12 CSR 40-40.210; 8/15/14

manner of claiming prizes from the Missouri Lottery; 12 CSR 40-  
60.030; 8/15/14  
manner of selecting winning scratchers tickets; frequency of  
drawings; 12 CSR 40-80.020; 8/15/14  
marking of tickets; 12 CSR 40-40.190; 8/15/14  
minority and political factors; 12 CSR 40-40.030; 8/15/14  
nonsufficient funds; 12 CSR 40-20.030; 8/15/14  
notification of lost, damaged, or stolen tickets or equipment; 12 CSR  
40-40.180; 8/15/14  
payments of prizes up to \$600 authorized; 12 CSR 40-85.080;  
8/15/14  
prize amounts for parimutuel draw games; 12 CSR 40-85.050;  
8/15/14  
prohibition on sale of tickets; 12 CSR 40-40.160; 8/15/14  
pull tab games; 12 CSR 40-95.010; 8/15/14  
redemption of winning tickets; 12 CSR 40-50.030; 8/15/14  
requirements for annuity sellers; 12 CSR 40-60.040; 8/15/14  
requirements for companies providing insurance for annuity  
contracts; 12 CSR 40-60.050; 8/15/14  
residency; 12 CSR 40-40.012; 8/15/14  
retail sales tax license required; 12 CSR 40-40.240; 8/15/14  
retailer compensation; 12 CSR 40-40.260; 8/15/14  
retailer conduct; 12 CSR 40-80.130; 8/15/14  
return of tickets for scratchers game; 12 CSR 40-20.040; 8/15/14  
revocation of licenses; 12 CSR 40-40.110; 8/15/14  
right to present evidence; 12 CSR 40-70.010; 8/15/14  
sale during normal business hours; 12 CSR 40-40.170; 8/15/14  
scratchers validation requirements; 12 CSR 40-80.050; 8/15/14  
special events licenses; 12 CSR 40-40.250; 8/15/14  
suspension and revocation of licenses; 12 CSR 40-40.120; 8/15/14  
termination of scratchers games; 12 CSR 40-80.120; 8/15/14  
ticket responsibility; 12 CSR 40-80.090; 8/15/14  
ticket sales as primary business prohibited; 12 CSR 40-40.080;  
8/15/14  
ticket transaction in excess of \$5,000; 12 CSR 40-40.270; 8/15/14  
tickets and prizes; 12 CSR 40-50.010; 8/15/14  
time and manner for submitting evidence; 12 CSR 40-70.030;  
8/15/14  
when action effective immediately; 12 CSR 40-70.050; 8/15/14

#### **MEDICAID AUDIT AND COMPLIANCE, MISSOURI**

definitions; 13 CSR 65-2.010; 1/15/14, 6/16/14  
denial or limitations of applying provider; 13 CSR 65-2.030;  
1/15/14, 6/16/14  
provider enrollment and application; 13 CSR 65-2.020; 1/15/14,  
6/16/14

#### **MENTAL HEALTH, DEPARTMENT OF**

designation of programs to receive county community mental health  
funds; 9 CSR 30-2.010; 2/3/14, 6/2/14

#### **MISSOURI CONSOLIDATED HEALTH CARE PLAN**

tobacco-free incentive provisions and limitations; 22 CSR 10-2.094;  
4/1/14, 7/15/14

#### **MO HEALTHNET**

federal reimbursement allowance (FRA); 13 CSR 70-15.110; 8/1/14  
global per diem adjustments to nursing facility and HIV nursing  
facility reimbursement rates; 13 CSR 70-10.016; 8/15/14  
inpatient hospital services reimbursement plan; outpatient hospital  
services reimbursement methodology; 13 CSR 70-15.010;  
8/1/14  
MO HealthNet program benefits for human organ and bone mar-  
row/stem cell transplants and related medical services; 13  
CSR 70-2.200; 4/15/14, 8/15/14  
payment policy for early elective delivery; 13 CSR 70-3.250;  
4/15/14, 8/15/14

standards for privacy of individually identifiable health information;  
13 CSR 70-1.020; 4/15/14

**OCCUPATIONAL THERAPY, MISSOURI BOARDS OF**  
fees; 20 CSR 2205-1.050; 8/15/14

**POLICE COMMISSIONERS, BOARDS OF**  
application forms and licensing fees; 17 CSR 10-2.040; 8/15/14  
testing requirements and qualification standards; 17 CSR 10-2.050;  
8/15/14  
weapons regulations and firearms qualification; 17 CSR 10-2.055;  
8/15/14

**PHARMACY, STATE BOARD OF**  
general fees; 20 CSR 2220-4.010; 8/15/14

**PROFESSIONAL REGISTRATION, DIVISION OF**  
designation of license renewal dates and related renewal information; 20 CSR 2231-2.010; 2/18/14, 6/2/14

**PROPANE GAS COMMISSION, MISSOURI**  
liquefied petroleum gases  
definitions and general provisions; 2 CSR 90-10.001; 7/15/14  
fiscal year July 1, 2014–June 30, 2015 budget plan; 2 CSR  
90; 8/15/14  
inspection authority–duties; 2 CSR 90-10.011; 7/15/14  
NFPA Manual 54, *National Fuel Gas Code*; 2 CSR 90-  
10.020; 7/15/14  
NFPA Manual 58, *Storage and Handling of Liquefied  
Petroleum Gases*; 2 CSR 90-10.040; 7/15/14

**PUBLIC DEFENDER, OFFICE OF STATE**  
public defender fees for service; 18 CSR 10-5.010; 8/1/14

**PUBLIC SERVICE COMMISSION**  
discovery and prehearings; 4 CSR 240-2.090; 3/3/14, 7/15/14

**RETIREMENT SYSTEMS**  
Missouri local government employees' retirement system  
(LAGERS)  
public school retirement system of Missouri, the  
beneficiary  
16 CSR 10-5.030; 6/2/14  
16 CSR 10-6.090; 6/2/14  
payment for reinstatement and credit purchases; 16 CSR 10-  
6.045; 6/2/14  
payment of funds to the retirement system; 16 CSR 10-3.010;  
2/18/14, 6/2/14  
reinstatement and credit purchases; 16 CSR 10-4.014; 6/2/14  
source of funds; 16 CSR 10-6.020; 2/18/14, 6/2/14  
uniformed services employment and reemployment rights act;  
16 CSR 10-4.018; 6/2/14  
16 CSR 10-6.055; 6/2/14

**SECURITIES**  
application for registration; 15 CSR 30-52.015; 1/15/14, 6/16/14  
definitions; 15 CSR 30-50.010; 1/15/14, 6/16/14  
forms; 15 CSR 30-50.040; 1/15/14, 6/16/14  
general; 15 CSR 30-54.010; 1/15/14, 6/16/14  
NASAA statement of policy; 15 CSR 30-52.030; 1/15/14, 6/16/14  
not-for-profit securities; 15 CSR 30-54.070; 1/15/14, 6/16/14  
small company offering registration (formerly Missouri issuer registration); 15 CSR 30-52.275; 1/15/14, 6/16/14  
suggested form of investment letter; 15 CSR 30-54.150; 1/15/14,  
6/16/14

**TAX**  
taxation of software; 12 CSR 10-109.050; 2/18/14, 6/2/14

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